

Attachment 1

Supplement to Exhibit D of the Consolidated Appeal

**Administrative Record
Jackson Parish School District
and
Franklin Academy**

Exhibit D

Supplement to Administrative Record



Royce E. Bancroft
Assistant General Counsel

Office of General Counsel

December 14, 2006

Ms. Cynthia B. Schultz
Patton Boggs, LLP
2550 M Street, NW
Washington, DC 20037

RE: Request for Information Regarding FCC Form 471 Applications Listed Below

Dear Ms. Schultz:

In response to your request, enclosed is documentation pertaining to the Universal Service Administrative Company's (USAC) decisions in response to the Federal Communications Commission (FCC) remanded appeals regarding the FCC Form 471 applications listed below. Included with this letter are the following document types for the FCC Form 471 applications listed below:

- Remand Acknowledgement Letters to Applicants.
- Pattern Analysis Information Requests to Applicants.
- Pattern Analysis Information Request Responses from Applicants.
- Pattern Analysis Information Request related correspondence.
- Revised Funding Commitment Decision Letters to Applicants. Please note that the letter to Franklin Academy indicates on the first page that the appeal was approved, but the detailed explanation at the back of the letter states that the Funding Request Number was not funded and that the appeal has not been granted.
- Further Explanation of Administrator's Funding Decision Letters to Applicants. USAC's records indicate these letters were sent to the applicants listed below on October 13, 2006. These letters referenced a "Funding Commitment Decision Letter" to be sent, but should have referenced the "Revised Funding Commitment Decision Letter."
- USAC records indicate that the Further Explanation Letters have not been sent to the associated service provider.

BILLED ENTITY NAME	FUND YEAR	FCC FORM 471 #
Jackson Parish School District	2003	376220
Franklin Academy	2004	412894
Jackson Parish School District	2004	423981

Ms. Cynthia B. Schultz
December 14, 2006
Page 2 of 2

Revised Funding Commitment Decision Letters sent to the service provider for the listed FCC Form 471 applications were previously provided to you.

Sincerely,

A handwritten signature in black ink, appearing to read "Royce E. Baneroff", is written over a horizontal line.

Royce E. Baneroff
Assistant General Counsel

Enclosures



Schools and Libraries Division

Remand Acknowledgment Letter

5/30/2006

**GARY BLACK
JACKSON PARISH SCHOOL DISTRICT
315 PERSHING HWY
JONESBORO, LA 71251**

RE: Form 471 Application Number: 376220

This is your notification that the Federal Communications Commission (FCC) has remanded your appeal to the Universal Service Administrative Company (USAC) for further review. Your Form 471 Application Number above was remanded to USAC in FCC 06-55 (released May 19, 2006). A link to the Order is posted on our website at <http://www.universalservice.org/sl/tools/latest-news.aspx#052206>.

These are the steps that will now follow:

1. Your application will be reviewed based on the guidelines set forth in the Order.
2. We will be in contact with you within a couple of weeks if additional information is needed to complete our review. **To ensure timely processing, please be prepared to provide requested information within 15 days from the date of our information request.**
3. Once our review is complete, you will receive written notification of our decision.
4. Funds have been set aside for applications approved as a result of this review.
5. If you no longer wish to pursue the requested funding, please notify our Client Service Bureau at 1-888-203-8100.

Our goal is to respond to you as promptly as possible. Thank you in advance for your patience as we review your application.

Schools and Libraries Division
Universal Service Administrative Company

AR00166

From: Deusinger, Michael
Sent: Tuesday, June 06, 2006 1:40 PM
To: 'mstaples@jpsb.us'
Subject: E-rate request

Importance: High

Attachments: Jackson.doc

Hello Mike. The attached request is related to FCC Order 06-55. Please provide a response by the close of business Wednesday, June 21. Please reply to my email to confirm receipt of this request. If you have any questions please feel free to contact me. Thank you. Please Note: this request relates to a FY 2003 and a FY 2004 E-rate application. Talton Barron was the contact on the FY 2003 application. You are listed as the contact on the FY 2004 E-rate application.

Michael Deusinger
Manager- Selective Final Review
Universal Service Administrative Company (USAC)
Schools and Libraries Division (SLD)
Phone: 973-581-6750
Fax: 973-599-6515



Universal Service Administrative Company
Schools & Libraries Division

CASE 2003/2004-BEN# 139315

Date: 6/06/06
To: Mike Staples
Entity: Jackson Parish School District
Fax #: 318-259-2527
Sender: Michael Deusinger
Phone: 973-581-6750
Fax: 973-599-6515
E-mail: mdeusin@sl.universalservice.org
Subject: Pattern Analysis Information Request FY 2003/2004

As a result of recent FCC Order (06-55, released May 19, 2006) that remanded your application to us, we are processing your Form 471 to ensure that it is in compliance with Program rules. This Pattern Analysis Information Request (PAIR) is related to your Funding Year 2003 Form 471 application # 376220 and your Funding Year 2004 Form 471 application # 423981. Our Program Integrity Assurance (PIA) review revealed Forms 470 and 471 citing Send Technologies as a service provider that share similarities with other billed entities' Forms 470 and 471. The similarities amongst the bill entities are potential competitive bidding Program rules violations. Your funding request may be reduced or denied if these violations are valid. Therefore, we must seek additional information regarding the completion and posting of your Form 470, your competitive bidding process, and/ or your Selective Review responses to ensure compliance with Program rules.

Enclosed please find a certification which must be signed by a person authorized to represent the entity and most knowledgeable about the information set forth in the responses to the PAIR. Submit the certification back to me, Mr. Michael Deusinger, with your responses to the PAIR.

You have **15 days** to respond to this request. Your response is due by the close of business 6/20/06. Please provide complete responses and documentation to the questions listed below. If the question(s) is not applicable, please explain why. It is important that you provide complete responses to ensure the timely review of your application. If you do not respond or provide incomplete responses, your funding request (FRNs) may be reduced or denied.

If the applicant's authorized representative completed the information in this document, please attach a *copy of the letter of agency or another agreement* between the applicant and the consultant authorizing them to act on the school or library's behalf. If you receive assistance outside of your organization in responding to this request, please indicate this in your reply. Send Technologies should not be consulted in this matter.

Should you wish to cancel your Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s). Include in any cancellation request the Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Form 470 Submissions and Form 470 Certifications

Program rules prohibit service providers from participating in the development, completion and posting of the Form 470. We have determined that Forms 470 cited by Send Technologies entities have similar Applicant Form Identifiers and are similar in their services sought, which implies that Send Technologies participated in the completion and/or posting of your entity's Form 470. We have also determined that the certification of the Form 470 cited by your entity's application was mailed by Mark Stevenson of Send Technology

1. Please provide the name, title and employer of the individual who filled out and submitted (i.e., mailed or posted the Form 470 on the Schools and Libraries website) Form 470# 181630000366888. Also provide that individual's contact information. If they are not an employee of your organization, how are they affiliated with your entity and why were they selected to complete or post your Form 470?
2. Please provide the specific location from which the Form# 181630000366888 was filed and submitted. If the Form 470 was not posted from your organization's location, please explain why.
3. If a service provider employee assisted in the completion and/or posting Form 470# 181630000366888, please provide the name and title of the Service Provider's employee and describe the assistance. Please also provide that individual's contact information. Explain why you selected them to assist your organization with completing or posting your Form 470. To the best of your knowledge, explain whether the service provider was aware that an employee assisted with the completion and/or posting of your entity's Form 470.
4. Please explain why the certification of the Form 470 cited by your entity's application was mailed in by Mark Stevenson of Send Technology. Please explain in detail the role(s) Mr. Stevenson played in the Form 470 process.

Form 470 Service or Need Description Summary

Applicants that selected discount services from Send Technologies share similar statements in their Forms 470 Block 2: *Summary Description of Needs or Services Requested*. These similarities imply that the service provider participated in the development, completion and/or posting of the Form 470.

1. Please explain the process your entity used to determine the type(s) of service(s) for which your entity sought bids. Provide documentation, if available, that will support your response (e.g., needs assessment, memorandums).
2. Provide the name of the individual and their organization's name who participated in determining what services your entity sought bids for that are not employees of your organization. Explain how they became involved in the process, their level of involvement, and why your organization sought their participation in your competitive bidding process.

If you have any questions, please contact me at 973-581-6750.

Michael Deusinger
Program Compliance

PATTERN ANALYSIS CERTIFICATION

I certify that I am authorized to make the representations set forth in the responses to the Pattern Analysis Information Request on behalf of <enter entity name>, the entity represented on and responding to the Pattern Analysis Information Request, and am the most knowledgeable person with regard to the information set forth therein. I certify that the responses and supporting documentation to the Pattern Analysis Information Request are true and correct to the best of my knowledge, information and belief. I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I acknowledge that false statements can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

I declare under penalty of perjury that the foregoing is true and correct. Executed on ____ day of _____, 2006 at _____ [city], _____ [state].

Signature		Date
Print Name	Title	
Employer		
Telephone Number	Fax Number	
Email Address		
Address		

AR00170

From: Deusinger, Michael
Sent: Friday, June 09, 2006 12:26 PM
To: 'mstaples@jpsb.us'
Subject: FW: E-rate request

Importance: High

Attachments: Jackson.doc

Mike,

I have not received a reply to my email confirming receipt of this request. Please reply to this email today to confirm receipt. Thank you.

From: Deusinger, Michael
Sent: Tuesday, June 06, 2006 1:40 PM
To: 'mstaples@jpsb.us'
Subject: E-rate request
Importance: High

Hello Mike. The attached request is related to FCC Order 06-55. Please provide a response by the close of business Wednesday, June 21. Please reply to my email to confirm receipt of this request. If you have any questions please feel free to contact me. Thank you. Please Note: this request relates to a FY 2003 and a FY 2004 E-rate application. Talton Barron was the contact on the FY 2003 application. You are listed as the contact on the FY 2004 E-rate application.

Michael Deusinger
Manager- Selective Final Review
Universal Service Administrative Company (USAC)
Schools and Libraries Division (SLD)
Phone: 973-581-6750
Fax: 973-599-6515

From: Mike Staples [mstaples@jpsb.us]
Sent: Sunday, June 11, 2006 8:06 AM
To: Deusinger, Michael
Subject: RE: E-rate request
Mr. Deusinger-

I was out of the office all of last week. Just checked my e-mail today. Your request has been received and will be addressed.

Mike Staples

-----Original Message-----

From: Deusinger, Michael [mailto:MDEUSIN@solixinc.com]
Sent: Friday, June 09, 2006 11:26 AM
To: mstaples@jpsb.us
Subject: FW: E-rate request
Importance: High

Mike,
I have not received a reply to my email confirming receipt of this request. Please reply to this email today to confirm receipt. Thank you.

From: Deusinger, Michael
Sent: Tuesday, June 06, 2006 1:40 PM
To: 'mstaples@jpsb.us'
Subject: E-rate request
Importance: High

Hello Mike. The attached request is related to FCC Order 06-55. Please provide a response by the close of business Wednesday, June 21. Please reply to my email to confirm receipt of this request. If you have any questions please feel free to contact me. Thank you. Please Note: this request relates to a FY 2003 and a FY 2004 E-rate application. Talton Barron was the contact on the FY 2003 application. You are listed as the contact on the FY 2004 E-rate application.

Michael Deusinger
Manager- Selective Final Review
Universal Service Administrative Company (USAC)
Schools and Libraries Division (SLD)
Phone: 973-581-6750
Fax: 973-599-6515

Confidentiality Notice: The information in this e-mail and any attachments thereto is intended for the named recipient(s) only. This e-mail, including any attachments, may contain information that is privileged and confidential and subject to legal restrictions and penalties regarding its unauthorized disclosure or

*other use. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action or inaction in reliance on the contents of this e-mail and any of its attachments is **STRICTLY PROHIBITED**. If you have received this e-mail in error, please immediately notify the sender via return e-mail; delete this e-mail and all attachments from your e-mail system and your computer system and network; and destroy any paper copies you may have in your possession. Thank you for your cooperation.*

From: Mike Staples [mstaples@jpsb.us]
Sent: Monday, June 12, 2006 2:16 PM
To: Deusinger, Michael
Subject: RE: E-rate request
Michael-

I will be here.

Mike

-----Original Message-----

From: Deusinger, Michael [mailto:MDEUSIN@solixinc.com]
Sent: Monday, June 12, 2006 12:20 PM
To: Mike Staples
Subject: RE: E-rate request

Thank you Mike. Please reply to my email and indicate to me if you will be available to answer any E-rate inquiries I may have over the summer. Thanks.

From: Mike Staples [mailto:mstaples@jpsb.us]
Sent: Sunday, June 11, 2006 8:06 AM
To: Deusinger, Michael
Subject: RE: E-rate request

Mr. Deusinger-

I was out of the office all of last week. Just checked my e-mail today. Your request has been received and will be addressed.

Mike Staples

-----Original Message-----

From: Deusinger, Michael [mailto:MDEUSIN@solixinc.com]
Sent: Friday, June 09, 2006 11:26 AM
To: mstaples@jpsb.us
Subject: FW: E-rate request
Importance: High

Mike,
I have not received a reply to my email confirming receipt of this request. Please reply to this email today to confirm receipt. Thank you.

From: Deusinger, Michael
Sent: Tuesday, June 06, 2006 1:40 PM
To: 'mstaples@jpsb.us'
Subject: E-rate request
Importance: High

Hello Mike. The attached request is related to FCC Order 06-55. Please provide a response by the close of business Wednesday, June 21. Please reply to my email to confirm receipt of this request. If you have any questions please feel free to contact me. Thank you. Please Note: this request relates to a FY 2003 and a FY 2004 E-rate application. Talton Barron was the contact on

the FY 2003 application. You are listed as the contact on the FY 2004 E-rate application.

Michael Deusinger
Manager- Selective Final Review
Universal Service Administrative Company (USAC)
Schools and Libraries Division (SLD)
Phone: 973-581-6750
Fax: 973-599-6515

Confidentiality Notice: The information in this e-mail and any attachments thereto is intended for the named recipient(s) only. This e-mail, including any attachments, may contain information that is privileged and confidential and subject to legal restrictions and penalties regarding its unauthorized disclosure or other use. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action or inaction in reliance on the contents of this e-mail and any of its attachments is **STRICTLY PROHIBITED**. If you have received this e-mail in error, please immediately notify the sender via return e-mail; delete this e-mail and all attachments from your e-mail system and your computer system and network; and destroy any paper copies you may have in your possession. Thank you for your cooperation.



Schools and Libraries Division

Date: 6/14/06

Contact Name: Mike Staples
 Jackson Parish School District
 Phone #: (318) 259-4456
 Application Number(s): 376220, 423981

Response Due Date: 6/21/06

You were recently sent a written request for additional information needed by the Program Integrity Assurance (PIA) team to review your Funding Year 2003 and Funding Year 2004 Forms 471 applications to ensure that they are in compliance with the rules of the Universal Service program. This is a reminder that the response due date is approaching. To date, none of the requested information has been received. The information needed to complete the review is listed below.

Form 470 Submissions and Form 470 Certifications

Program rules prohibit service providers from participating in the development, completion and posting of the Form 470. We have determined that Forms 470 cited by Send Technologies entities have similar Applicant Form Identifiers and are similar in their services sought, which implies that Send Technologies participated in the completion and/or posting of your entity's Form 470. We have also determined that the certification of the Form 470 cited by your entity's application was mailed by Mark Stevenson of Send Technology

1. Please provide the name, title and employer of the individual who filled out and submitted (i.e., mailed or posted the Form 470 on the Schools and Libraries website) Form 470# 181630000366888. Also provide that individual's contact information. If they are not an employee of your organization, how are they affiliated with your entity and why were they selected to complete or post your Form 470?
2. Please provide the specific location from which the Form# 181630000366888 was filed and submitted. If the Form 470 was not posted from your organization's location, please explain why.
3. If a service provider employee assisted in the completion and/or posting Form 470# 181630000366888, please provide the name and title of the Service Provider's employee and describe the assistance. Please also provide that individual's contact information. Explain why you selected them to assist your organization with completing or posting your Form 470. To the best of your knowledge, explain whether the service provider was aware that an employee assisted with the completion and/or posting of your entity's Form 470.
4. Please explain why the certification of the Form 470 cited by your entity's application was mailed in by Mark Stevenson of Send Technology. Please explain in detail the role(s) Mr. Stevenson played in the Form 470 process.

Form 470 Service or Need Description Summary

Applicants that selected discount services from Send Technologies share similar statements in their Forms 470 Block 2: *Summary Description of Needs or Services Requested*. These similarities imply that the service provider participated in the development, completion and/or posting of the Form 470.

1. Please explain the process your entity used to determine the type(s) of service(s) for which your entity sought bids. Provide documentation, if available, that will support your response (e.g., needs assessment, memorandums).
2. Provide the name of the individual and their organization's name who participated in determining what services your entity sought bids for that are not employees of your organization. Explain how they became involved in the process, their level of involvement, and why your organization sought their participation in your competitive bidding process.

It is important that we receive all of the information requested so the PIA team can complete its review. Please fax or email the requested information to my attention. If you have any questions please feel free to contact me.

If we do not receive the requested information by 06/21/06, your application(s) will be reviewed using the information currently on file. If you are unable to provide the requested information because your school has closed or will shortly close for summer break, please let me know when you will be available to respond to these questions. Failure to do so may result in a reduction or denial of funding.

Should you wish to cancel your Form 471 application, or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s); along with the Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

A copy of this correspondence is being forwarded to your State E-Rate Coordinator for informational purposes only.

Thank you for your cooperation and continued support of the Universal Service Program.

Michael Deusinger
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-581-6750
FAX: 973-599-6515
e-mail address: mdeusin@sl.universalservice.org

From: Deusinger, Michael
Sent: Wednesday, June 14, 2006 10:30 AM
To: 'Mike Staples'
Cc: 'cyn.bertrand@la.gov'
Subject: RE: E-rate request

Attachments: Jackson reminder.doc
Hi Mike. Attached is a reminder that your response is due 7 days from today, by the close of business 6/21/06.
Thank you.

From: Mike Staples [mailto:mstaples@jpsb.us]
Sent: Monday, June 12, 2006 2:16 PM
To: Deusinger, Michael
Subject: RE: E-rate request

Michael-

I will be here.

Mike

-----Original Message-----

From: Deusinger, Michael [mailto:MDEUSIN@solixinc.com]
Sent: Monday, June 12, 2006 12:20 PM
To: Mike Staples
Subject: RE: E-rate request

Thank you Mike. Please reply to my email and indicate to me if you will be available to answer any E-rate inquiries I may have over the summer. Thanks.

From: Mike Staples [mailto:mstaples@jpsb.us]
Sent: Sunday, June 11, 2006 8:06 AM
To: Deusinger, Michael
Subject: RE: E-rate request

Mr. Deusinger-

I was out of the office all of last week. Just checked my e-mail today. Your request has been received, and will be addressed.

Mike Staples

-----Original Message-----

From: Deusinger, Michael [mailto:MDEUSIN@solixinc.com]
Sent: Friday, June 09, 2006 11:26 AM
To: mstaples@jpsb.us
Subject: FW: E-rate request
Importance: High

Mike,
I have not received a reply to my email confirming receipt of this request. Please reply to this email today to confirm receipt. Thank you.

AR00178

From: Deusinger, Michael
Sent: Tuesday, June 06, 2006 1:40 PM
To: 'mstaples@jpsb.us'
Subject: E-rate request
Importance: High

Hello Mike. The attached request is related to FCC Order 06-55. Please provide a response by the close of business Wednesday, June 21. Please reply to my email to confirm receipt of this request. If you have any questions please feel free to contact me. Thank you. Please Note: this request relates to a FY 2003 and a FY 2004 E-rate application. Talton Barron was the contact on the FY 2003 application. You are listed as the contact on the FY 2004 E-rate application.

Michael Deusinger
Manager- Selective Final Review
Universal Service Administrative Company (USAC)
Schools and Libraries Division (SLD)
Phone: 973-581-6750
Fax: 973-599-6515

Confidentiality Notice: The information in this e-mail and any attachments thereto is intended for the named recipient(s) only. This e-mail, including any attachments, may contain information that is privileged and confidential and subject to legal restrictions and penalties regarding its unauthorized disclosure or other use. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action or inaction in reliance on the contents of this e-mail and any of its attachments is **STRICTLY PROHIBITED**. If you have received this e-mail in error, please immediately notify the sender via return e-mail; delete this e-mail and all attachments from your e-mail system and your computer system and network; and destroy any paper copies you may have in your possession. Thank you for your cooperation.

P.O. Box 705
Jonesboro, LA 71261
Phone: (318)259-4456
Fax: (318)259-2527

**Jackson Parish
School Board**

Fax

To: Michael Deusinger

From: Mike Staples

Fax: 1-973-599-6515

Pages: 5

Phone: 1-973-581-6750

Date: Tuesday, June 20, 2006

Re: PAIR Information Request FY 2003/04

CC:

☐ **Urgent**

☐ **For Review**

☐ **Please Comment**

☐ **Please Reply**

☐ **Please Recycle**

• **Comments:**

JACKSON PARISH SCHOOL BOARD

Gary Black, Superintendent
Harvey T. Robinson, President

P.O. Box 705, 315 Pershing Highway
Jonesboro, LA 71251-0705
e-mail gblack@nls.k12.la.us
Telephone (318) 259-4456
Fax (318) 259-2527

June 20, 2006

Mr. Michael Deusinger
USAC
Schools & Libraries

Dear Mr. Deusinger:

The response of the Jackson Parish School System to your Pattern Analysis Information Request FY 2003/2004 (CASE 2003/2004-BEN 139315) follows. This response was prepared by Mr. Talton Barron who also was responsible for the 470 in question in your information request.

I have no first-hand knowledge of the information contained in the response. I was working in another school system in Louisiana at the time. Any further request for information should be addressed to Mr. Barron.

Sincerely,



Mike Staples

Form 470 Submissions and Form 470 Certifications

Program rules prohibit service providers from participating in the development, completion and posting of the Form 470. We have determined that Forms 470 cited by Send Technologies entities have similar Applicant Form Identifiers and are similar in their services sought, which implies that Send Technologies participated in the completion and/or posting of your entity's Form 470. We have also determined that the certification of the Form 470 cited by your entity's application was mailed by Mark Stevenson of Send Technology

1. Please provide the name, title and employer of the individual who filled out and submitted (i.e., mailed or posted the Form 470 on the Schools and Libraries website) Form 470# 181630000366888. Also provide that individual's contact information. If they are not an employee of your organization, how are they affiliated with your entity and why were they selected to complete or post your Form 470?

Talton Barron, Technology Coordinator Jackson Parish Schools, with the assistance of Mark Stevenson. *TA*

2. Please provide the specific location from which the Form# 181630000366888 was filed and submitted. If the Form 470 was not posted from your organization's location, please explain why.

Office of SEND Technology. Mr. Stevenson offered to help with the process. *TD*

3. If a service provider employee assisted in the completion and/or posting Form 470# 181630000366888, please provide the name and title of the Service Provider's employee and describe the assistance. Please also provide that individual's contact information. Explain why you selected them to assist your organization with completing or posting your Form 470. To the best of your knowledge, explain whether the service provider was aware that an employee assisted with the completion and/or posting of your entity's Form 470.

Mark Stevenson, SEND Technology, Monroe, Louisiana. Mark Stevenson volunteered to help. Jackson Parish was having trouble with preparing the form. Yes, Mr. Stevenson asked questions, gave advice, and Talton Barron entered information. *TD*

4. Please explain why the certification of the Form 470 cited by your entity's application was mailed in by Mark Stevenson of Send Technology. Please explain in detail the role(s) Mr. Stevenson played in the Form 470 process.

Mark Stevenson mailed it in. Refer to the above answered questions. *TD*

Form 470 Service or Need Description Summary

Applicants that selected discount services from Send Technologies share similar statements in their Forms 470 Block 2: *Summary Description of Needs or Services Requested*. These similarities imply that the service provider participated in the development, completion and/or posting of the Form 470.

1. Please explain the process your entity used to determine the type(s) of service(s) for which your entity sought bids. Provide documentation, if available, that will support your response (e.g., needs assessment, memorandums).

We were advised by Mark Stevenson on the responses. *TD*

2. Provide the name of the individual and their organization's name who participated in determining what services your entity sought bids for that are not employees of your organization. Explain how they became involved in the process, their level of involvement, and why your organization sought their participation in your competitive bidding process.
Mark Stevenson, SEND Technology. *TB*

If you have any questions, please contact me at 973-581-6750.

Michael Deusinger
Program Compliance

Universal Service Administrative Company
Schools and Libraries Division

PATTERN ANALYSIS INFORMATION REQUEST	
<p>I certify that I am authorized to make the representations set forth in the responses to the Pattern Analysis Information Request on behalf of <enter entity name>, the entity represented on and responding to the Pattern Analysis Information Request, and am the most knowledgeable person with regard to the information set forth therein. I certify that the responses and supporting documentation to the Pattern Analysis Information Request are true and correct to the best of my knowledge, information and belief. I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I acknowledge that false statements can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.</p> <p>I declare under penalty of perjury that the foregoing is true and correct. Executed on <u>19</u> day of <u>June</u>, 2006 at <u>Jonesboro</u> [city], <u>Louisiana</u> [state].</p>	
Signature <u>William J. Barron</u>	Date <u>6/19/06</u>
Print Name <u>William Talton Barron</u>	Title <u>Secondary Supervisor</u>
Employer <u>Jackson Parish Schools</u>	
Telephone Number <u>318-259-4456 Ext. 12</u>	Fax Number <u>318-259-2527</u>
Email Address <u>tbarron@JTPSS.US</u>	
Address <u>315 Pershing Hwy. Jonesboro, La. 71251</u>	

Further Explanation of Administrator's Funding Decision

Form 471 Application Numbers: 376220, 423981

Funding Request Numbers: 1030905, 1171008

Funding Years 2003 (07/01/2003 – 06/30/2004) and 2004 (07/01/2004 – 06/30/2005)

Under separate cover, you are being sent a Funding Commitment Decision Letter concerning the FCC Form 471 Application Number cited above. This Funding Commitment Decision Letter denies the Funding Request Numbers (FRNs).

Please be advised that the Funding Commitment Decision Letter is the official action on this application by the Universal Service Administrative Company (USAC). Please refer to that letter for instructions regarding how to appeal the Administrator's decision, if you wish to do so. The purpose of this letter is to provide you with additional information concerning the reasons for denial of these funding requests.

The Federal Communications Commission (FCC or Commission) granted the appeal of USAC's denial of the FRN(s) cited above and remanded the funding requests to USAC for further review.¹ The FCC directed USAC to "conduct further investigation and analysis prior to denying funding for suspected competitive bidding violations . . . and to provide applicants with an opportunity to demonstrate that they did not violate the Commission's competitive bidding rules." The Commission set forth its competitive bidding rules as follows:

Under the schools and libraries universal service support mechanism, eligible schools, libraries, and consortia that include eligible schools and libraries, apply for discounts for eligible telecommunications services, Internet access, and internal connections.² The applicant, after developing a technology plan, files the FCC Form 470 ("Form 470") with the Administrator to request discounted services.³ The Form 470 is posted on USAC's website for at least 28 days, during which time interested service providers may submit bids to provide the requested services.⁴ The applicant must consider all submitted bids prior to entering into a contract; price must be the primary factor in selecting a bid.⁵ Under the Commission's competitive bidding

¹ See *Request for Review of the Decision of the Universal Service Administrator by Academy of Careers and Technology, et al.*, CC Docket No. 02-6, Order, FCC 06-55 (2006) (*Academy of Careers and Technology Order*).

² 47 C.F.R. § 54.505.

³ If the technology plan has not been approved when the applicant files the Form 470, the applicant must certify that it understands that the technology plan must be approved prior to commencement of service. 47 C.F.R. § 54.504(b)(2)(vii).

⁴ 47 C.F.R. § 54.504(b)(4).

⁵ 47 C.F.R. § 54.511(a).

rules, the service provider may not participate in the bidding process.⁶ After entering into a contract for eligible services, the applicant files the FCC Form 471 ("Form 471").⁷ USAC assigns a funding request number ("FRN") to each request for discounted services, and issues funding commitment decision letters ("FCDLs") approving or denying the requests for discounted services.

In this remand, the Commission concluded that "USAC denied the requests for funding without sufficiently determining that the service providers improperly participated in the applicants' bidding process."⁸ The Commission stated that "there are many legitimate reasons why applicants could have used similar language in their applications . . ."⁹ As part of USAC's review of the applications, the Commission suggested that USAC "request that applicants submit documentation establishing the source of the language that is similar to that found in other applications."¹⁰ With respect to situations where due to the passage of time, such evidence may no longer be available, the Commission directed USAC to "look at the totality of the circumstances, including an explanation as to why the evidence may no longer be available. On a going-forward basis, we expect that applicants will have better documentation to support their applications."¹¹

USAC recently contacted each applicant and explained that for applicants who had chosen Send Technologies as their service provider, each entity provided documents with striking similarities to USAC to support their funding requests. For each type of document, USAC asked each applicant to explain how they prepared each type of document, to provide any supporting documentation, and to specify the individual who prepared the relevant documents.

In response to USAC's questions, you stated that Mark Stevenson of Send Technology assisted in determining what services your entity sought bids for, as well as filling out and submitting FCC Form 470 # 181630000366888. You further stated that this FCC Form 470 was submitted to USAC from the office of Send Technology. Finally, you stated that Mark Stevenson mailed your FCC Form 470 certification to USAC.

Since Send Technology, the service provider you later selected to provide these services, participated in the competitive bidding process by assisting you in determining what services you would seek bids for, filling out and submitting the FCC Form 470, and by mailing in your FCC Form 470 certification page during the competitive bidding process, you have not demonstrated that you did not allow your

⁶ See *Request for Review of Decisions of the Universal Service Administrator by MasterMind Internet Services, Inc.*, Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Order, 16 FCC Rcd 4028, 4032-33, para. 10 (2000).

⁷ This form is to request discounts on those services and it contains the discount calculation worksheet and the discount funding request. The Form 471 generally must be filed each time a school or library orders telecommunications services, Internet access, or internal connections. See 47 C.F.R. §§ 54.504, 54.511(c).

⁸ *Academy of Careers and Technology Order* ¶ 6.

⁹ *Id.*

¹⁰ *Id.* ¶ 8.

¹¹ *Id.* ¶ 8 n.20.

service provider to participate in the competitive bidding process. Therefore, the FRNs cited above have been denied.



Universal Service Administrative Company
Schools & Libraries Division

Revised Funding Commitment Decision Letter
 (Funding Year 2003: 07/01/2003 - 06/30/2004)

September 21, 2006

JACKSON PARISH SCHOOL DISTRICT
 TALTON BARRON
 315 PERSHING HWY
 JONESBORO, LA 71251

RE: Form 471 Application Number: 376220
 Billed Entity Number: 139315
 Applicant's Form Identifier: 2003-JPSD-2

This letter is the official Funding Commitment Decision Letter (FCDL) providing you with the dollar value and other details of the funding commitment(s) made for the FCC Form 471 Application identified above in response to your appeal.

The Funding Commitment Report (Report) that follows this Revised FCDL contains a list of items that were included in your original FCDL. An explanation of the items in the attached report is included in the sample FCDL posted to the SLD section of the USAC web site, and was included in your original FCDL. Depending on the nature of your appeal, this Report may have been updated to reflect the new total amount of discount for a funding request. Applicants should use THIS updated information when completing the FCC Form 486, if Form 486 has not already been submitted.

This same information is being sent to the service provider(s) whose Service Provider Identification Number (SPIN) was featured in your funding request(s). We urge you to contact your service provider(s) to make any necessary arrangements regarding delivery of service and provision of your discounts.

IMPLEMENTATION TIMEFRAME

The Federal Communications Commission (FCC) released on June 29, 2001, an Order extending the implementation period for non-recurring services. Any non-recurring service for which funds are committed in this letter may be delivered and installed up to September 30, 2007. Support for recurring services, however, is available only for services provided during the period July 01, 2003 through June 30, 2004.

If Forms 486 have not already been submitted for these services provided by this service provider as identified by the SPIN in the attached Funding Report, Forms 486 must be received or postmarked no later than 120 days after the Service Start Date, or 120 days after the date of an FCDL that approves funding, whichever is later, to receive discounts retroactively to the Service Start Date. If any funding was approved in the original FCDL and any services were provided by the service provider whose SPIN was referenced in the original Funding Report, the deadlines described above are calculated based on the original FCDL. If these services are approved as a result of a SPIN Correction, a new Form 486 will be required to allow invoicing for such services.

NEXT STEPS

Once you have reviewed this letter and have determined that some or all of your requests have been funded, your next step will be to facilitate receipt of discounts as explained in this letter.

RECURRING SERVICES: In order to receive reimbursement, you must file Form 486, Receipt of Service Confirmation Form, if it has not already been filed. The Form

DUPLICATE LETTER

486 notifies the SLD that services have been delivered. It also provides certified indication that your technology plan(s), if required, has been approved. The Form 486 and instructions are posted on the SLD web site at www.sl.universalservice.org. You may also contact the SLD Client Service Bureau by fax at 1-888-276-8736 or by phone at 1-888-203-8100 and ask that the form and instructions be sent to you. The Form 486, dated August 2003 in the lower right corner, MUST be used. As you complete Form 486, you should also contact your service provider(s) to verify they have received notice from the SLD of your funding commitment(s). After the SLD processes your Form 486, we can begin processing invoices for those discounted services (either the FCC Form 472, Billed Entity Applicant Reimbursement Form filed by the applicant or the FCC Form 474, Service Provider Invoice Form filed by the service provider).

NON-RECURRING SERVICES: Since these commitments come well after your application was submitted, it is possible that Contract Expiration Dates indicated on the FCC Form 471 will have passed. The attached Funding Commitment Report for this application includes the Contract Expiration Date from the Form 471, if provided. FCC rules grant a limited extension for contracts for non-recurring services. "[C]ontracts for nonrecurring services may be voluntarily extended to coincide with the appropriate deadline for the implementation [of delivery and installation for nonrecurring services]. Parties may not, however, extend other contractual provisions beyond the dates established by the Commission's rules without complying with the competitive bidding process." [FCC 01-195, released June 29, 2001]. If you have been waiting for this commitment letter before directing your service provider to start non-recurring service and if the Contract Expiration Date on the Form 471 has passed, the SLD will not be able to process a Form 486 with a reported Service Start Date after the Contract Expiration Date. If this is true for you, you should first negotiate a contract extension with your service provider and then file an FCC Form 500, Adjustment to Funding Commitment and Modification to Receipt of Service Confirmation Form, to notify the SLD of the new Contract Expiration Date. After submitting the Form 500, your next step will be to file the Form 486 with the SLD.

If you have any questions about this Revised FCDL, please call our Client Service Bureau.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - appellant name,
 - applicant or service provider name,
 - BEN and/or SPIN,
 - application or form number as assigned by the SLD,
 - name of the letter and funding year (both are located at the top of the letter), AND
 - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site at www.sl.universalservice.org. Click "Continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that Universal Service Administration Company (USAC) and/or the Federal Communications Commission (FCC) may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT
Billed Entity Name: JACKSON PARISH SCHOOL DISTRICT
BEN: 139315
Funding Year: 2003

Form 471 Application Number: 376220
Funding Request Number: 1030905
Funding Status: Not Funded
Category of Service: INTERNET ACCESS
Form 470 Application Number: 181630000366888
SPIN: 143010002
Service Provider Name: Send Technologies, L.L.C.
Contract Number: SEND2002-13
Billing Account Number: 318-259-4456
Service Start Date: 07/01/2003
Contract Expiration Date: 06/30/2005
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$60,192.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$60,192.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Bidding Violation
Funding Commitment Decision Explanation: As per FCC Order 06-55 you were given an opportunity to explain similarities seen between your application and those of other applicants that chose the same service provider. A separate letter is being sent that has a full explanation of why your appeal is not being granted.

Revised FCDL Date: 09/21/2006
Appeal Wave Number: A27



Schools and Libraries Division

Remand Acknowledgment Letter

5/30/2006

**PETE LEWIS
FRANKLIN ACADEMY
2110 LOOP RD
WINNSBORO, LA 71295**

RE: Form 471 Application Number: 412894

This is your notification that the Federal Communications Commission (FCC) has remanded your appeal to the Universal Service Administrative Company (USAC) for further review. Your Form 471 Application Number above was remanded to USAC in FCC 06-55 (released May 19, 2006). A link to the Order is posted on our website at <http://www.universalservice.org/sl/tools/latest-news.aspx#052206>.

These are the steps that will now follow:

1. Your application will be reviewed based on the guidelines set forth in the Order.
2. We will be in contact with you within a couple of weeks if additional information is needed to complete our review. **To ensure timely processing, please be prepared to provide requested information within 15 days from the date of our information request.**
3. Once our review is complete, you will receive written notification of our decision.
4. Funds have been set aside for applications approved as a result of this review.
5. If you no longer wish to pursue the requested funding, please notify our Client Service Bureau at 1-888-203-8100.

Our goal is to respond to you as promptly as possible. Thank you in advance for your patience as we review your application.

Schools and Libraries Division
Universal Service Administrative Company

AR00192

From: Deusinger, Michael
Sent: Tuesday, June 06, 2006 1:53 PM
To: 'ljonson@nls.k12.la.us'
Subject: E-rate request

Importance: High

Attachments: Franklin Academy.doc

Hello Leigh. The attached request is related to FCC Order 06-55. Please provide a response by the close of business Wednesday, June 21. Please reply to my email to confirm receipt of this request. If you have any questions please feel free to contact me. Thank you. Please Note: this request relates to a FY 2004 E-rate application. Cynthia Roberson was the contact on the application. However, since you are the current E-rate contact for the school the request is being sent to you.

Michael Deusinger
Manager- Selective Final Review
Universal Service Administrative Company (USAC)
Schools and Libraries Division (SLD)
Phone: 973-581-6750
Fax: 973-599-6515



Universal Service Administrative Company
Schools & Libraries Division

CASE 2004-BEN# 81728

Date: 6/06/06
To: Leigh Jonson
Entity: Franklin Academy
Fax #:
Sender: Michael Deusinger
Phone: 973-581-6750
Fax: 973-599-6515
E-mail: mdeusin@sl.universalservice.org
Subject: Pattern Analysis Information Request FY 2004

*** *** ***

As a result of recent FCC Order (06-55, released May 19, 2006) that remanded your application to us, we are processing your Form 471 to ensure that it is in compliance with Program rules. This Pattern Analysis Information Request (PAIR) is related to your Funding Year 2004 Form 471 application # 412894. Our Program Integrity Assurance (PIA) review revealed Forms 470 and 471 citing Nexus Systems (previously known as Send Technologies) as a service provider that share similarities with other billed entities' Forms 470 and 471. The similarities amongst the bill entities are potential competitive bidding Program rules violations. Your funding request may be reduced or denied if these violations are valid. Therefore, we must seek additional information regarding the completion and posting of your Form 470, your competitive bidding process, and/ or your Selective Review responses to ensure compliance with Program rules.

Enclosed please find a certification which must be signed by a person authorized to represent the entity and most knowledgeable about the information set forth in the responses to the PAIR. Submit the certification back to me, Mr. Michael Deusinger, with your responses to the PAIR.

You have **15 days** to respond to this request. Your response is due by the close of business 6/20/06. Please provide complete responses and documentation to the questions listed below. If the question(s) is not applicable, please explain why. It is important that you provide complete responses to ensure the timely review of your application. If you do not respond or provide incomplete responses, your funding request (FRNs) may be reduced or denied.

If the applicant's authorized representative completed the information in this document, please attach a *copy of the letter of agency or another agreement* between the applicant and the consultant authorizing them to act on the school or library's behalf. If you receive assistance outside of your organization in responding to this request, please indicate this in your reply. Nexus Systems should not be consulted in this matter.

Should you wish to cancel your Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s). Include in any cancellation request the Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Form 470 Submissions and Form 470 Certifications

Program rules prohibit service providers from participating in the development, completion and posting of the Form 470. We have determined that Forms 470 cited by Nexus Systems (Send Technologies) entities have similar Applicant Form Identifiers and are similar in their services sought, which implies that Send Technologies participated in the completion and/or posting of your entity's Form 470. We have also determined that the certification of the Form 470 cited by your entity's application was mailed by Mark Stevenson of Nexus Systems (Send Technology).

1. Please provide the name, title and employer of the individual who filled out and submitted (i.e., mailed or posted the Form 470 on the Schools and Libraries website) Form 470# 469310000366712. Also provide that individual's contact information. If they are not an employee of your organization, how are they affiliated with your entity and why were they selected to complete or post your Form 470?
2. Please provide the specific location from which the Form# 469310000366712 was filed and submitted. If the Form 470 was not posted from your organization's location, please explain why.
3. If a service provider employee assisted in the completion and/or posting Form 470# 469310000366712, please provide the name and title of the Service Provider's employee and describe the assistance. Please also provide that individual's contact information. Explain why you selected them to assist your organization with completing or posting your Form 470. To the best of your knowledge, explain whether the service provider was aware that an employee assisted with the completion and/or posting of your entity's Form 470.
4. Please explain why the certification of the Form 470 cited by your entity's application was mailed in by Mark Stevenson of Nexus Systems (known as Send Technology at the time the certification was mailed). Please explain in detail the role(s) Mr. Stevenson played in the Form 470 process.

Form 470 Service or Need Description Summary

Applicants that selected discount services from Nexus Systems (Send Technologies) share similar statements in their Forms 470 Block 2: *Summary Description of Needs or Services Requested*. These similarities imply that the service provider participated in the development, completion and/or posting of the Form 470.

1. Please explain the process your entity used to determine the type(s) of service(s) for which your entity sought bids. Provide documentation, if available, that will support your response (e.g., needs assessment, memorandums).
2. Provide the name of the individual and their organization's name who participated in determining what services your entity sought bids for that are not employees of your organization. Explain how they became involved in the process, their level of involvement, and why your organization sought their participation in your competitive bidding process.

If you have any questions, please contact me at 973-581-6750.

Michael Deusinger
Program Compliance

PATTERN ANALYSIS CERTIFICATION

I certify that I am authorized to make the representations set forth in the responses to the Pattern Analysis Information Request on behalf of <enter entity name>, the entity represented on and responding to the Pattern Analysis Information Request, and am the most knowledgeable person with regard to the information set forth therein. I certify that the responses and supporting documentation to the Pattern Analysis Information Request are true and correct to the best of my knowledge, information and belief. I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I acknowledge that false statements can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

I declare under penalty of perjury that the foregoing is true and correct. Executed on ____ day of _____, 2006 at _____ [city], _____ [state].

Signature		Date
Print Name	Title	
Employer		
Telephone Number	Fax Number	
Email Address		
Address		

AR00196

From: Leigh Jonson [ljonson@nls.k12.la.us]

Sent: Tuesday, June 06, 2006 2:02 PM

To: Deusinger, Michael

Subject: Re: E-rate request

Hello Michael

Received your email and am researching the 04 book to find out more information since I did not do that paperwork. Will be in touch.

Thank you.

Leigh Jonson, Vice Principal

Franklin Academy

2110 Loop Road

Winnsboro, Louisiana 71295

318 435 9520 school

318 435 9508 fax

318 498 1058 cell

ljonson@nls.k12.la.us

www.franklinacademy.info

-----Original Message-----

From: Deusinger, Michael

Date: 06/06/06 12:43:57

To: ljonson@nls.k12.la.us

Subject: E-rate request

Hello Leigh. The attached request is related to FCC Order 06-55. Please provide a response by the close of business Wednesday, June 21. Please reply to my email to confirm receipt of this request. If you have any questions please feel free to contact me. Thank you. Please Note: this request relates to a FY 2004 E-rate application. Cynthia Roberson was the contact on the application. However, since you are the current E-rate contact for the school the request is being sent to you.

Michael Deusinger

Manager- Selective Final Review

Universal Service Administrative Company (USAC)

Schools and Libraries Division (SLD)

Phone: 973-581-6750

Fax: 973-599-6515

Confidentiality Notice: The information in this e-mail and any attachments thereto is intended for the named recipient(s) only. This e-mail, including any attachments, may contain information that is privileged and confidential and subject to legal restrictions and penalties regarding its unauthorized disclosure or other use. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action or inaction in reliance on the contents of this e-mail and any of its attachments is **STRICTLY PROHIBITED**. If you have received this e-mail in error, please immediately notify the sender via return e-mail; delete this e-mail and all attachments from your e-mail system and your computer system and

AR00197

network; and destroy any paper copies you may have in your possession. Thank you for your cooperation.

AR00198

From: Leigh Jonson [ljonson@nls.k12.la.us]

Sent: Tuesday, June 13, 2006 8:59 AM

To: Deusinger, Michael

Subject: Re: FW: E-rate request

Hey! I thought I HAD responded. Sorry.

Our office hours are Tuesday, Wednesday, Thursday from 9-1, generally, but I can often be caught here at other times. We will be closed for vacation June 30 until July 11 (I'll actually be out of the country.)

I will do what I can. I am having a hard time getting all this info together since the Tech coordinator and the principal who signed off on that year's ERate are both gone and not associated with us anymore.

Thanks.

Leigh Jonson, Vice Principal

Franklin Academy

2110 Loop Road

Winnsboro, Louisiana 71295

318 435 9520 school

318 435 9508 fax

318 498 1058 cell

ljonson@nls.k12.la.us

www.franklinacademy.info

-----Original Message-----

From: Deusinger, Michael

Date: 06/12/06 12:06:48

To: ljonson@nls.k12.la.us

Subject: FW: E-rate request

Hi Leigh. Please reply to my email and indicate to me if you will be available to answer any E-rate inquiries I may have over the summer. Thanks.

From: Deusinger, Michael

Sent: Tuesday, June 06, 2006 1:53 PM

To: 'ljonson@nls.k12.la.us'

Subject: E-rate request

Importance: High

Hello Leigh. The attached request is related to FCC Order 06-55. Please provide a response by the close of business Wednesday, June 21. Please reply to my email to confirm receipt of this request. If you have any questions please feel free to contact me. Thank you. Please Note: this request relates to a FY 2004 E-rate application. Cynthia Roberson was the contact on the application. However, since you are the current E-rate contact for the school the request is being sent to you.

Michael Deusinger

Manager- Selective Final Review

Universal Service Administrative Company (USAC)

Schools and Libraries Division (SLD)

Phone: 973-581-6750

Fax: 973-599-6515

Confidentiality Notice: The information in this e-mail and any attachments thereto is intended for the named recipient(s) only. This e-mail, including any attachments, may contain information that is privileged and confidential and subject to legal restrictions and penalties regarding its unauthorized disclosure or other use. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action or inaction in reliance on the contents of this e-mail and any of its attachments is **STRICTLY PROHIBITED**. If you have received this e-mail in error, please immediately notify the sender via return e-mail; delete this e-mail and all attachments from your e-mail system and your computer system and network; and destroy any paper copies you may have in your possession. Thank you for your cooperation.

AR00200

From: Deusinger, Michael
Sent: Wednesday, June 14, 2006 10:34 AM
To: 'Leigh Jonson'
Cc: 'cyn.bertrand@la.gov'
Subject: RE: FW: E-rate request

Attachments: Franklin Academy reminder.doc

Hi Leigh. Attached is a reminder that your response is due 7 days from today, by the close of business 6/21/06. Thank you.

From: Leigh Jonson [mailto:ljonson@nls.k12.la.us]
Sent: Tuesday, June 13, 2006 8:59 AM
To: Deusinger, Michael
Subject: Re: FW: E-rate request

Hey! I thought I HAD responded. Sorry.

Our office hours are Tuesday, Wednesday, Thursday from 9-1, generally, but I can often be caught here at other times. We will be closed for vacation June 30 until July 11 (I'll actually be out of the country.)

I will do what I can. I am having a hard time getting all this info together since the Tech coordinator and the principal who signed off on that year's ERate are both gone and not associated with us anymore.

Thanks.

Leigh Jonson, Vice Principal
Franklin Academy
2110 Loop Road
Winnsboro, Louisiana 71295
318 435 9520 school
318 435 9508 fax
318 498 1058 cell
ljonson@nls.k12.la.us
www.franklinacademy.info

-----Original Message-----

From: Deusinger, Michael
Date: 06/12/06 12:06:48
To: ljonson@nls.k12.la.us
Subject: FW: E-rate request

Hi Leigh. Please reply to my email and indicate to me if you will be available to answer any E-rate inquiries I may have over the summer. Thanks.

From: Deusinger, Michael

AR00201

Sent: Tuesday, June 06, 2006 1:53 PM
To: 'ljonson@nls.k12.la.us'
Subject: E-rate request
Importance: High

Hello Leigh. The attached request is related to FCC Order 06-55. Please provide a response by the close of business Wednesday, June 21. Please reply to my email to confirm receipt of this request. If you have any questions please feel free to contact me. Thank you. Please Note: this request relates to a FY 2004 E-rate application. Cynthia Roberson was the contact on the application. However, since you are the current E-rate contact for the school the request is being sent to you.

Michael Deusinger

Manager- Selective Final Review

Universal Service Administrative Company (USAC)

Schools and Libraries Division (SLD)

Phone: 973-581-6750

Fax: 973-599-6515

Confidentiality Notice: The information in this e-mail and any attachments thereto is intended for the named recipient(s) only. This e-mail, including any attachments, may contain information that is privileged and confidential and subject to legal restrictions and penalties regarding its unauthorized disclosure or other use. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action or inaction in reliance on the contents of this e-mail and any of its attachments is **STRICTLY PROHIBITED**. If you have received this e-mail in error, please immediately notify the sender via return e-mail; delete this e-mail and all attachments from your e-mail system and your computer system and network; and destroy any paper copies you may have in your possession. Thank you for your cooperation.



Schools and Libraries Division

Date: 6/14/06

Contact Name: Leigh Jonson
 Franklin Academy
 Phone #: (318) 259-4456
 Application Number(s): 412894

Response Due Date: 6/21/06

You were recently sent a written request for additional information needed by the Program Integrity Assurance (PIA) team to review your Funding Year 2004 Form 471 application to ensure that it is in compliance with the rules of the Universal Service program. This is a reminder that the response due date is approaching. To date, none of the requested information has been received. The information needed to complete the review is listed below.

Form 470 Submissions and Form 470 Certifications

Program rules prohibit service providers from participating in the development, completion and posting of the Form 470. We have determined that Forms 470 cited by Nexus Systems (Send Technologies) entities have similar Applicant Form Identifiers and are similar in their services sought, which implies that Send Technologies participated in the completion and/or posting of your entity's Form 470. We have also determined that the certification of the Form 470 cited by your entity's application was mailed by Mark Stevenson of Nexus Systems (Send Technology).

1. Please provide the name, title and employer of the individual who filled out and submitted (i.e., mailed or posted the Form 470 on the Schools and Libraries website) Form 470# 469310000366712. Also provide that individual's contact information. If they are not an employee of your organization, how are they affiliated with your entity and why were they selected to complete or post your Form 470?
2. Please provide the specific location from which the Form# 469310000366712 was filed and submitted. If the Form 470 was not posted from your organization's location, please explain why.
3. If a service provider employee assisted in the completion and/or posting Form 470# 469310000366712, please provide the name and title of the Service Provider's employee and describe the assistance. Please also provide that individual's contact information. Explain why you selected them to assist your organization with completing or posting your Form 470. To the best of your knowledge, explain whether the service provider was aware that an employee assisted with the completion and/or posting of your entity's Form 470.
4. Please explain why the certification of the Form 470 cited by your entity's application was mailed in by Mark Stevenson of Nexus Systems (known as Send Technology at the time the certification was mailed). Please explain in detail the role(s) Mr. Stevenson played in the Form 470 process.

Form 470 Service or Need Description Summary

Applicants that selected discount services from Nexus Systems (Send Technologies) share similar statements in their Forms 470 Block 2: *Summary Description of Needs or Services Requested*. These similarities imply that the service provider participated in the development, completion and/or posting of the Form 470.

1. Please explain the process your entity used to determine the type(s) of service(s) for which your entity sought bids. Provide documentation, if available, that will support your response (e.g., needs assessment, memorandums).
2. Provide the name of the individual and their organization's name who participated in determining what services your entity sought bids for that are not employees of your organization. Explain how they became involved in the process, their level of involvement, and why your organization sought their participation in your competitive bidding process.

It is important that we receive all of the information requested so the PIA team can complete its review. Please fax or email the requested information to my attention. If you have any questions please feel free to contact me.

If we do not receive the requested information by 06/21/06, your application(s) will be reviewed using the information currently on file. If you are unable to provide the requested information because your school has closed or will shortly close for summer break, please let me know when you will be available to respond to these questions. Failure to do so may result in a reduction or denial of funding.

Should you wish to cancel your Form 471 application, or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s); along with the Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

A copy of this correspondence is being forwarded to your State E-Rate Coordinator for informational purposes only.

Thank you for your cooperation and continued support of the Universal Service Program.

Michael Deusinger
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-581-6750
FAX: 973-599-6515
e-mail address: mdeusin@sl.universalservice.org



Franklin Academy

2110 Loop Road
Winnsboro, Louisiana 71295
Phone (318) 435-9520 • Fax (318) 435-9508
Pete Lewis - Principal

FAX COVER SHEET

DATE: 6/14/06
TO: USAC / SL Division
ATTENTION: MICHAEL Deusinger
FAX NUMBER: 973 599 6515
RE: PAIR FY 2004
FROM: BEN #81728 Leigh Jensen

TOTAL NUMBER OF PAGES 6 (including transmittal sheet)

COMMENTS:

Hope this is right!

**Schools and Libraries Division**

Date: 6/14/06

Contact Name: Leigh Jonson
Franklin Academy
Phone #: (318) ~~259-4456~~
Application Number(s): 412894

435 9520

*response
attached*

Response Due Date: 6/21/06

You were recently sent a written request for additional information needed by the Program Integrity Assurance (PIA) team to review your Funding Year 2004 Form 471 application to ensure that it is in compliance with the rules of the Universal Service program. This is a reminder that the response due date is approaching. To date, none of the requested information has been received. The information needed to complete the review is listed below.

Form 470 Submissions and Form 470 Certifications

Program rules prohibit service providers from participating in the development, completion and posting of the Form 470. We have determined that Forms 470 cited by Nexus Systems (Send Technologies) entities have similar Applicant Form Identifiers and are similar in their services sought, which implies that Send Technologies participated in the completion and/or posting of your entity's Form 470. We have also determined that the certification of the Form 470 cited by your entity's application was mailed by Mark Stevenson of Nexus Systems (Send Technology).

1. Please provide the name, title and employer of the individual who filled out and submitted (i.e., mailed or posted the Form 470 on the Schools and Libraries website) Form 470# 469310000366712. Also provide that individual's contact information. If they are not an employee of your organization, how are they affiliated with your entity and why were they selected to complete or post your Form 470?
2. Please provide the specific location from which the Form# 469310000366712 was filed and submitted. If the Form 470 was not posted from your organization's location, please explain why.
3. If a service provider employee assisted in the completion and/or posting Form 470# 469310000366712, please provide the name and title of the Service Provider's employee and describe the assistance. Please also provide that individual's contact information. Explain why you selected them to assist your organization with completing or posting your Form 470. To the best of your knowledge, explain whether the service provider was aware that an employee assisted with the completion and/or posting of your entity's Form 470.
4. Please explain why the certification of the Form 470 cited by your entity's application was mailed in by Mark Stevenson of Nexus Systems (known as Send Technology at the time the certification was mailed). Please explain in detail the role(s) Mr. Stevenson played in the Form 470 process.

Form 470 Service or Need Description Summary

Applicants that selected discount services from Nexus Systems (Send Technologies) share similar statements in their Forms 470 Block 2: *Summary Description of Needs or Services Requested*. These similarities imply that the service provider participated in the development, completion and/or posting of the Form 470.

1. Please explain the process your entity used to determine the type(s) of service(s) for which your entity sought bids. Provide documentation, if available, that will support your response (e.g., needs assessment, memorandums).
2. Provide the name of the individual and their organization's name who participated in determining what services your entity sought bids for that are not employees of your organization. Explain how they became involved in the process, their level of involvement, and why your organization sought their participation in your competitive bidding process.

It is important that we receive all of the information requested so the PIA team can complete its review. Please fax or email the requested information to my attention. If you have any questions please feel free to contact me.

If we do not receive the requested information by 06/21/06, your application(s) will be reviewed using the information currently on file. If you are unable to provide the requested information because your school has closed or will shortly close for summer break, please let me know when you will be available to respond to these questions. Failure to do so may result in a reduction or denial of funding.

Should you wish to cancel your Form 471 application, or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s); along with the Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

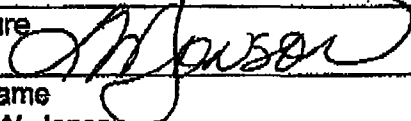
A copy of this correspondence is being forwarded to your State E-Rate Coordinator for informational purposes only.

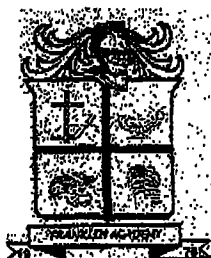
Thank you for your cooperation and continued support of the Universal Service Program.

Michael Deusinger
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-581-6750
FAX: 973-599-6515
e-mail address: mdeusin@sl.universalservice.org

I certify that I am authorized to make the representations set forth in the responses to the Pattern Analysis Information Request on behalf of Franklin Academy, the entity represented on and responding to the Pattern Analysis Information Request, and am the most knowledgeable person with regard to the information set forth therein. I certify that the responses and supporting documentation to the Pattern Analysis Information Request are true and correct to the best of my knowledge, information and belief. I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I acknowledge that false statements can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

I declare under penalty of perjury that the foregoing is true and correct. Executed on 15th day of June, 2006 at Winnsboro, Louisiana.

Signature 	Date June 15, 2006
Print Name Leigh W. Jonson	Title Vice Principal
Employer Franklin Academy	
Telephone Number 318 435 9520	Fax Number 318 435 9508
Email Address ljonson@nls.k12.la.us	
Address 2110 Loop Road Winnsboro, Louisiana 71295	



Franklin Academy

2110 Loop Road
Winnsboro, Louisiana 71295
Phone (318) 435-9520 • Fax (318) 435-9508
Phil Jackson - Principal
June 7, 2006

Mr. Michael Deusinger
Universal Administrative Company
School and Libraries Division
Fax: 973 599 6515

Re: PAIR FY 2004
Case 2004-BEN#81728

Pursuant to your letter of 6/06/06, please review the following information regarding our FY 2004 Form 471 application #412894.

470 submissions and certifications:

1. The person who filled out, submitted/posted the Form 470 #469310000366712 was DeAnn Kiper. She, at that time, was a technology teacher and part-time business manager. She is no longer employed at our school. Since Mrs. Kiper has moved on, I do not have contact information for her. She left our school in January of 2003. This 470 was posed on 10/22/2001 as per records.
2. To the best of my knowledge, the form above mentioned was filed and submitted from the business office of Franklin Academy. I do not have any records to indicate anything otherwise.
3. To the best of my knowledge, (remembering I was uninvolved in the process at this time, that the people who actually completed the process are no longer in our employee, and I have only the existing paperwork to peruse and make determinations), we filled out, filed, and submitted our own paper work. We made the decisions based on information available from previous year's services, contacts at other schools, and the thoughts of the technology coordinator.
4. My understanding is that the service provider (Nexus Systems aka Send Technologies) employee mark Stevenson offered a courtesy accommodation of using their FedEx number to mail the forms in order to insure receipt of delivery of the package. As our program was in its infancy, we used the service to be sure our aps and paperwork were done properly. Other than general advice on how to get the forms done, this is the only input that Mr. Stevenson had. We made the decisions from information gathered through the bid process.

Form 470 Service or Need Description Summary

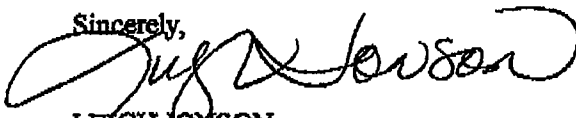
1. Our school used the advice of the technology coordinator and a committee of parent membership (knowledgeable of computers and services) to determine the needs for the types of service for which we would seek bids.

2. The same committee evaluated the bids received. The ultimate authority rested on the technology coordinator and the principal to execute the services with the provider. Bids were received for email and other services. The only bundled bid with internet and email was Nexus. This quote was taken due to the offerings of services, price, and compatibility with our bidding.

This is the only information that I have to share with you regarding this information. If I can answer anything with more specificity, I will be glad to try.

Thank you for your time in this matter.

Sincerely,



LEIGH JONSON
Vice Principal
Franklin Academy
ljonson@nls.k12.la.us
318 435 9520
318 435 9508 fax

Further Explanation of Administrator's Funding Decision
Form 471 Application Number: 412894
Funding Request Number: 1133118
Funding Year 2004 (07/01/2004 – 06/30/2005)

Under separate cover, you are being sent a Funding Commitment Decision Letter concerning the FCC Form 471 Application Number cited above. This Funding Commitment Decision Letter denies the Funding Request Number (FRN).

Please be advised that the Funding Commitment Decision Letter is the official action on this application by the Universal Service Administrative Company (USAC). Please refer to that letter for instructions regarding how to appeal the Administrator's decision, if you wish to do so. The purpose of this letter is to provide you with additional information concerning the reasons for denial of these funding requests.

The Federal Communications Commission (FCC or Commission) granted the appeal of USAC's denial of the FRN cited above and remanded the funding requests to USAC for further review.¹ The FCC directed USAC to "conduct further investigation and analysis prior to denying funding for suspected competitive bidding violations . . . and to provide applicants with an opportunity to demonstrate that they did not violate the Commission's competitive bidding rules." The Commission set forth its competitive bidding rules as follows:

Under the schools and libraries universal service support mechanism, eligible schools, libraries, and consortia that include eligible schools and libraries, apply for discounts for eligible telecommunications services, Internet access, and internal connections.² The applicant, after developing a technology plan, files the FCC Form 470 ("Form 470") with the Administrator to request discounted services.³ The Form 470 is posted on USAC's website for at least 28 days, during which time interested service providers may submit bids to provide the requested services.⁴ The applicant must consider all submitted bids prior to entering into a contract; price must be the primary factor in selecting a bid.⁵ Under the Commission's competitive bidding

¹ See *Request for Review of the Decision of the Universal Service Administrator by Academy of Careers and Technology, et al.*, CC Docket No. 02-6, Order, FCC 06-55 (2006) (*Academy of Careers and Technology Order*).

² 47 C.F.R. § 54.505.

³ If the technology plan has not been approved when the applicant files the Form 470, the applicant must certify that it understands that the technology plan must be approved prior to commencement of service. 47 C.F.R. § 54.504(b)(2)(vii).

⁴ 47 C.F.R. § 54.504(b)(4).

⁵ 47 C.F.R. § 54.511(a).

rules, the service provider may not participate in the bidding process.⁶ After entering into a contract for eligible services, the applicant files the FCC Form 471 ("Form 471").⁷ USAC assigns a funding request number ("FRN") to each request for discounted services, and issues funding commitment decision letters ("FCDLs") approving or denying the requests for discounted services.

In this remand, the Commission concluded that "USAC denied the requests for funding without sufficiently determining that the service providers improperly participated in the applicants' bidding process."⁸ The Commission stated that "there are many legitimate reasons why applicants could have used similar language in their applications . . ."⁹ As part of USAC's review of the applications, the Commission suggested that USAC "request that applicants submit documentation establishing the source of the language that is similar to that found in other applications."¹⁰ With respect to situations where due to the passage of time, such evidence may no longer be available, the Commission directed USAC to "look at the totality of the circumstances, including an explanation as to why the evidence may no longer be available. On a going-forward basis, we expect that applicants will have better documentation to support their applications."¹¹

USAC recently contacted each applicant and explained that for applicants who had chosen Send Technologies as their service provider, each entity provided documents with striking similarities to USAC to support their funding requests. For each type of document, USAC asked each applicant to explain how they prepared each type of document, to provide any supporting documentation, and to specify the individual who prepared the relevant documents.

In response to USAC's questions, you indicated that employees of your entity filled out and submitted the FCC Form 470 without assistance from a service provider. You further indicated that Mark Stevenson of Send Technologies mailed your FCC Form 470 certification to USAC. Another applicant whose FCC Form 470 contains identical Summaries of Needs or Services Requested has stated that Send Technologies assisted them in determining what services their entity sought bids for, as well as filling out and submitting the FCC Form 470.

Your response does not explain why your FCC Form 470 Summary of Needs or Services Requested is similar to those of other applicants who selected the same service provider. Furthermore, you allowed Send Technologies to mail in your FCC Form 470 certification page during the competitive bidding process. Since you have

⁶ See *Request for Review of Decisions of the Universal Service Administrator by MasterMind Internet Services, Inc., Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Order, 16 FCC Rcd 4028, 4032-33, para. 10 (2000).

⁷ This form is to request discounts on those services and it contains the discount calculation worksheet and the discount funding request. The Form 471 generally must be filed each time a school or library orders telecommunications services, Internet access, or internal connections. See 47 C.F.R. §§ 54.504, 54.511(c).

⁸ *Academy of Careers and Technology Order* ¶ 6.

⁹ *Id.*

¹⁰ *Id.* ¶ 8.

¹¹ *Id.* ¶ 8 n.20.

not explained why the documents are similar, and since you allowed Send Technologies to mail in your FCC Form 470 certification page during the competitive bidding process, you have not demonstrated that you did not allow your service provider to participate in the competitive bidding process. Therefore, the FRN cited above has been denied.



Universal Service Administrative Company
Schools & Libraries Division

Revised Funding Commitment Decision Letter
 (Funding Year 2004: 07/01/2004 - 06/30/2005)

September 22, 2006

FRANKLIN ACADEMY
 Cynthia Roberson
 2110 LOOP RD
 WINNSBORO, LA 71295-3318

RE: Form 471 Application Number: 412894
 Billed Entity Number: 81728
 Applicant's Form Identifier: FY04-IA

This letter is your notification that your appeal has been approved and is the official Funding Commitment Decision letter (FCDL) providing you with the dollar value and other details of the funding commitment(s) made for the FCC Form 471 Application identified above in response to your appeal.

The Funding Commitment Report (Report) that follows this Revised FCDL contains a list of items that were included in your original FCDL. An explanation of the items in the attached report is included in the sample FCDL posted to the SLD section of the USAC web site, and was included in your original FCDL. Depending on the nature of your appeal, this Report may have been updated to reflect the new total amount of discount for a funding request. Applicants should use THIS updated information when completing the FCC Form 486, if Form 486 has not already been submitted.

This same information is being sent to the service provider(s) whose Service Provider Identification Number (SPIN) was featured in your funding request(s). We urge you to contact your service provider(s) to make any necessary arrangements regarding delivery of service and provision of your discounts.

IMPLEMENTATION TIMEFRAME

The Federal Communications Commission (FCC) released on June 29, 2001, an Order extending the implementation period for non-recurring services. Any non-recurring service for which funds are committed in this letter may be delivered and installed up to September 30, 2007. Support for recurring services, however, is available only for services provided during the period July 01, 2004 through June 30, 2005.

If Forms 486 have not already been submitted for these services provided by this service provider as identified by the SPIN in the attached Funding Report, Forms 486 must be received or postmarked no later than 120 days after the Service Start Date, or 120 days after the date of an FCDL that approves funding, whichever is later, to receive discounts retroactively to the Service Start Date. If any funding was approved in the original FCDL and any services were provided by the service provider whose SPIN was referenced in the original Funding Report, the deadlines described above are calculated based on the original FCDL. If these services are approved as a result of a SPIN Correction, a new Form 486 will be required to allow invoicing for such services.

NEXT STEPS

Once you have reviewed this letter and have determined that some or all of your requests have been funded, your next step will be to facilitate receipt of discounts as explained in this letter.

DUPLICATE LETTER

RECURRING SERVICES: In order to receive reimbursement, you must file Form 486, Receipt of Service Confirmation Form, if it has not already been filed. The Form 486 notifies the SLD that services have been delivered. It also provides certified indication that your technology plan(s), if required, has been approved. The Form 486 and instructions are posted on the SLD web site at www.sl.universalservice.org. You may also contact the SLD Client Service Bureau by fax at 1-888-276-8736 or by phone at 1-888-203-8100 and ask that the form and instructions be sent to you. The Form 486, dated August 2003 in the lower right corner, MUST be used. As you complete Form 486, you should also contact your service provider(s) to verify they have received notice from the SLD of your funding commitment(s). After the SLD processes your Form 486, we can begin processing invoices for those discounted services (either the FCC Form 472, Billed Entity Applicant Reimbursement Form filed by the applicant or the FCC Form 474, Service Provider Invoice Form filed by the service provider).

NON-RECURRING SERVICES: Since these commitments come well after your application was submitted, it is possible that Contract Expiration Dates indicated on the FCC Form 471 will have passed. The attached Funding Commitment Report for this application includes the Contract Expiration Date from the Form 471, if provided. FCC rules grant a limited extension for contracts for non-recurring services. "[C]ontracts for nonrecurring services may be voluntarily extended to coincide with the appropriate deadline for the implementation [of delivery and installation for nonrecurring services]. Parties may not, however, extend other contractual provisions beyond the dates established by the Commission's rules without complying with the competitive bidding process." [FCC 01-195, released June 29, 2001]. If you have been waiting for this commitment letter before directing your service provider to start non-recurring service and if the Contract Expiration Date on the Form 471 has passed, the SLD will not be able to process a Form 486 with a reported Service Start Date after the Contract Expiration Date. If this is true for you, you should first negotiate a contract extension with your service provider and then file an FCC Form 500, Adjustment to Funding Commitment and Modification to Receipt of Service Confirmation Form, to notify the SLD of the new Contract Expiration Date. After submitting the Form 500, your next step will be to file the Form 486 with the SLD.

If you have any questions about this Revised FCDL, please call our Client Service Bureau.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - appellant name,
 - applicant or service provider name, if different than appellant,
 - applicant BEN and service provider SPIN,
 - application number as assigned by USAC,
 - name of the letter and funding year - both are located at the top of the letter, AND
 - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site at www.sl.universalservice.org. Click "Continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that Universal Service Administration Company (USAC) and/or the Federal Communications Commission (FCC) may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT
Billed Entity Name: FRANKLIN ACADEMY
BEN: 81728
Funding Year: 2004

Form 471 Application Number: 412894
Funding Request Number: 1133118
Funding Status: Not Funded
Category of Service: INTERNET ACCESS
Form 470 Application Number: 846490000434433
SPIN: 143027251
Service Provider Name: Nexus Systems, Inc.
Contract Number: SEND2003-550001FA-1
Billing Account Number: 318-435-9520
Service Start Date: 07/01/2004
Contract Expiration Date: 06/30/2006
Site Identifier: 81728
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$9,000.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$9,000.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Bidding Violation
Funding Commitment Decision Explanation: As per FCC Order 06-55 you were given an opportunity to explain similarities seen between your application and those of other applicants that chose the same service provider. A separate letter is being sent that has a full explanation of why your appeal is not being granted.

Revised FCDL Date: 09/22/2006
Appeal Wave Number: A20



Schools and Libraries Division

Remand Acknowledgment Letter

5/30/2006

**GARY BLACK
JACKSON PARISH SCHOOL DISTRICT
315 PERSHING HWY
JONESBORO, LA 71251**

RE: Form 471 Application Number: 423981

This is your notification that the Federal Communications Commission (FCC) has remanded your appeal to the Universal Service Administrative Company (USAC) for further review. Your Form 471 Application Number above was remanded to USAC in FCC 06-55 (released May 19, 2006). A link to the Order is posted on our website at <http://www.universalservice.org/sl/tools/latest-news.aspx#052206>.

These are the steps that will now follow:

1. Your application will be reviewed based on the guidelines set forth in the Order.
2. We will be in contact with you within a couple of weeks if additional information is needed to complete our review. **To ensure timely processing, please be prepared to provide requested information within 15 days from the date of our information request.**
3. Once our review is complete, you will receive written notification of our decision.
4. Funds have been set aside for applications approved as a result of this review.
5. If you no longer wish to pursue the requested funding, please notify our Client Service Bureau at 1-888-203-8100.

Our goal is to respond to you as promptly as possible. Thank you in advance for your patience as we review your application.

Schools and Libraries Division
Universal Service Administrative Company

AR00218

From: Deusinger, Michael
Sent: Tuesday, June 06, 2006 1:40 PM
To: 'mstaples@jpsb.us'
Subject: E-rate request

Importance: High

Attachments: Jackson.doc

Hello Mike. The attached request is related to FCC Order 06-55. Please provide a response by the close of business Wednesday, June 21. Please reply to my email to confirm receipt of this request. If you have any questions please feel free to contact me. Thank you. Please Note: this request relates to a FY 2003 and a FY 2004 E-rate application. Talton Barron was the contact on the FY 2003 application. You are listed as the contact on the FY 2004 E-rate application.

Michael Deusinger
Manager- Selective Final Review
Universal Service Administrative Company (USAC)
Schools and Libraries Division (SLD)
Phone: 973-581-6750
Fax: 973-599-6515



Universal Service Administrative Company
Schools & Libraries Division

CASE 2003/2004-BEN# 139315

Date: 6/06/06
To: Mike Staples
Entity: Jackson Parish School District
Fax #: 318-259-2527
Sender: Michael Deusinger
Phone: 973-581-6750
Fax: 973-599-6515
E-mail: mdeusin@sl.universalservice.org
Subject: Pattern Analysis Information Request FY 2003/2004

As a result of recent FCC Order (06-55, released May 19, 2006) that remanded your application to us, we are processing your Form 471 to ensure that it is in compliance with Program rules. This Pattern Analysis Information Request (PAIR) is related to your Funding Year 2003 Form 471 application # 376220 and your Funding Year 2004 Form 471 application # 423981. Our Program Integrity Assurance (PIA) review revealed Forms 470 and 471 citing Send Technologies as a service provider that share similarities with other billed entities' Forms 470 and 471. The similarities amongst the bill entities are potential competitive bidding Program rules violations. Your funding request may be reduced or denied if these violations are valid. Therefore, we must seek additional information regarding the completion and posting of your Form 470, your competitive bidding process, and/ or your Selective Review responses to ensure compliance with Program rules.

Enclosed please find a certification which must be signed by a person authorized to represent the entity and most knowledgeable about the information set forth in the responses to the PAIR. Submit the certification back to me, Mr. Michael Deusinger, with your responses to the PAIR.

You have **15 days** to respond to this request. Your response is due by the close of business 6/20/06. Please provide complete responses and documentation to the questions listed below. If the question(s) is not applicable, please explain why. It is important that you provide complete responses to ensure the timely review of your application. If you do not respond or provide incomplete responses, your funding request (FRNs) may be reduced or denied.

If the applicant's authorized representative completed the information in this document, please attach a *copy of the letter of agency or another agreement* between the applicant and the consultant authorizing them to act on the school or library's behalf. If you receive assistance outside of your organization in responding to this request, please indicate this in your reply. Send Technologies should not be consulted in this matter.

Should you wish to cancel your Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s). Include in any cancellation request the Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Form 470 Submissions and Form 470 Certifications

Program rules prohibit service providers from participating in the development, completion and posting of the Form 470. We have determined that Forms 470 cited by Send Technologies entities have similar Applicant Form Identifiers and are similar in their services sought, which implies that Send Technologies participated in the completion and/or posting of your entity's Form 470. We have also determined that the certification of the Form 470 cited by your entity's application was mailed by Mark Stevenson of Send Technology

1. Please provide the name, title and employer of the individual who filled out and submitted (i.e., mailed or posted the Form 470 on the Schools and Libraries website) Form 470# 181630000366888. Also provide that individual's contact information. If they are not an employee of your organization, how are they affiliated with your entity and why were they selected to complete or post your Form 470?
2. Please provide the specific location from which the Form# 181630000366888 was filed and submitted. If the Form 470 was not posted from your organization's location, please explain why.
3. If a service provider employee assisted in the completion and/or posting Form 470# 181630000366888, please provide the name and title of the Service Provider's employee and describe the assistance. Please also provide that individual's contact information. Explain why you selected them to assist your organization with completing or posting your Form 470. To the best of your knowledge, explain whether the service provider was aware that an employee assisted with the completion and/or posting of your entity's Form 470.
4. Please explain why the certification of the Form 470 cited by your entity's application was mailed in by Mark Stevenson of Send Technology. Please explain in detail the role(s) Mr. Stevenson played in the Form 470 process.

Form 470 Service or Need Description Summary

Applicants that selected discount services from Send Technologies share similar statements in their Forms 470 Block 2: *Summary Description of Needs or Services Requested*. These similarities imply that the service provider participated in the development, completion and/or posting of the Form 470.

1. Please explain the process your entity used to determine the type(s) of service(s) for which your entity sought bids. Provide documentation, if available, that will support your response (e.g., needs assessment, memorandums).
2. Provide the name of the individual and their organization's name who participated in determining what services your entity sought bids for that are not employees of your organization. Explain how they became involved in the process, their level of involvement, and why your organization sought their participation in your competitive bidding process.

If you have any questions, please contact me at 973-581-6750.

Michael Deusinger
Program Compliance

PATTERN ANALYSIS CERTIFICATION

I certify that I am authorized to make the representations set forth in the responses to the Pattern Analysis Information Request on behalf of *<enter entity name>*, the entity represented on and responding to the Pattern Analysis Information Request, and am the most knowledgeable person with regard to the information set forth therein. I certify that the responses and supporting documentation to the Pattern Analysis Information Request are true and correct to the best of my knowledge, information and belief. I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I acknowledge that false statements can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

I declare under penalty of perjury that the foregoing is true and correct. Executed on ____ day of _____, 2006 at _____ [city],
_____ [state].

Signature		Date
Print Name	Title	
Employer		
Telephone Number	Fax Number	
Email Address		
Address		

From: Deusinger, Michael
Sent: Friday, June 09, 2006 12:26 PM
To: 'mstaples@jpsb.us'
Subject: FW: E-rate request

Importance: High

Attachments: Jackson.doc

Mike,

I have not received a reply to my email confirming receipt of this request. Please reply to this email today to confirm receipt. Thank you.

From: Deusinger, Michael
Sent: Tuesday, June 06, 2006 1:40 PM
To: 'mstaples@jpsb.us'
Subject: E-rate request
Importance: High

Hello Mike. The attached request is related to FCC Order 06-55. Please provide a response by the close of business Wednesday, June 21. Please reply to my email to confirm receipt of this request. If you have any questions please feel free to contact me. Thank you. Please Note: this request relates to a FY 2003 and a FY 2004 E-rate application. Talton Barron was the contact on the FY 2003 application. You are listed as the contact on the FY 2004 E-rate application.

Michael Deusinger
Manager- Selective Final Review
Universal Service Administrative Company (USAC)
Schools and Libraries Division (SLD)
Phone: 973-581-6750
Fax: 973-599-6515

AR00223

From: Mike Staples [mstaples@jpsb.us]
Sent: Sunday, June 11, 2006 8:06 AM
To: Deusinger, Michael
Subject: RE: E-rate request
Mr. Deusinger-

I was out of the office all of last week. Just checked my e-mail today. Your request has been received and will be addressed.

Mike Staples

-----Original Message-----

From: Deusinger, Michael [mailto:MDEUSIN@solixinc.com]
Sent: Friday, June 09, 2006 11:26 AM
To: mstaples@jpsb.us
Subject: FW: E-rate request
Importance: High

Mike,
I have not received a reply to my email confirming receipt of this request. Please reply to this email today to confirm receipt. Thank you.

From: Deusinger, Michael
Sent: Tuesday, June 06, 2006 1:40 PM
To: 'mstaples@jpsb.us'
Subject: E-rate request
Importance: High

Hello Mike. The attached request is related to FCC Order 06-55. Please provide a response by the close of business Wednesday, June 21. Please reply to my email to confirm receipt of this request. If you have any questions please feel free to contact me. Thank you. Please Note: this request relates to a FY 2003 and a FY 2004 E-rate application. Talton Barron was the contact on the FY 2003 application. You are listed as the contact on the FY 2004 E-rate application.

Michael Deusinger
Manager- Selective Final Review
Universal Service Administrative Company (USAC)
Schools and Libraries Division (SLD)
Phone: 973-581-6750
Fax: 973-599-6515

Confidentiality Notice: The information in this e-mail and any attachments thereto is intended for the named recipient(s) only. This e-mail, including any attachments, may contain information that is privileged and confidential and subject to legal restrictions and penalties regarding its unauthorized disclosure or

AR00224

*other use. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action or inaction in reliance on the contents of this e-mail and any of its attachments is **STRICTLY PROHIBITED**. If you have received this e-mail in error, please immediately notify the sender via return e-mail; delete this e-mail and all attachments from your e-mail system and your computer system and network; and destroy any paper copies you may have in your possession. Thank you for your cooperation.*

AR00225

From: Mike Staples [mstaples@jpsb.us]
Sent: Monday, June 12, 2006 2:16 PM
To: Deusinger, Michael
Subject: RE: E-rate request
Michael-

I will be here.

Mike

-----Original Message-----

From: Deusinger, Michael [mailto:MDEUSIN@solixinc.com]
Sent: Monday, June 12, 2006 12:20 PM
To: Mike Staples
Subject: RE: E-rate request

Thank you Mike. Please reply to my email and indicate to me if you will be available to answer any E-rate inquiries I may have over the summer. Thanks.

From: Mike Staples [mailto:mstaples@jpsb.us]
Sent: Sunday, June 11, 2006 8:06 AM
To: Deusinger, Michael
Subject: RE: E-rate request

Mr. Deusinger-

I was out of the office all of last week. Just checked my e-mail today. Your request has been received and will be addressed.

Mike Staples

-----Original Message-----

From: Deusinger, Michael [mailto:MDEUSIN@solixinc.com]
Sent: Friday, June 09, 2006 11:26 AM
To: mstaples@jpsb.us
Subject: FW: E-rate request
Importance: High

Mike,

I have not received a reply to my email confirming receipt of this request. Please reply to this email today to confirm receipt. Thank you.

From: Deusinger, Michael
Sent: Tuesday, June 06, 2006 1:40 PM
To: 'mstaples@jpsb.us'
Subject: E-rate request
Importance: High

Hello Mike. The attached request is related to FCC Order 06-55. Please provide a response by the close of business Wednesday, June 21. Please reply to my email to confirm receipt of this request. If you have any questions please feel free to contact me. Thank you. Please Note: this request relates to a FY 2003 and a FY 2004 E-rate application. Talton Barron was the contact on

the FY 2003 application. You are listed as the contact on the FY 2004 E-rate application.

Michael Deusinger
Manager- Selective Final Review
Universal Service Administrative Company (USAC)
Schools and Libraries Division (SLD)
Phone: 973-581-6750
Fax: 973-599-6515

Confidentiality Notice: *The information in this e-mail and any attachments thereto is intended for the named recipient(s) only. This e-mail, including any attachments, may contain information that is privileged and confidential and subject to legal restrictions and penalties regarding its unauthorized disclosure or other use. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action or inaction in reliance on the contents of this e-mail and any of its attachments is **STRICTLY PROHIBITED**. If you have received this e-mail in error, please immediately notify the sender via return e-mail; delete this e-mail and all attachments from your e-mail system and your computer system and network; and destroy any paper copies you may have in your possession. Thank you for your cooperation.*

AR00227

From: Deusinger, Michael
Sent: Wednesday, June 14, 2006 10:30 AM
To: 'Mike Staples'
Cc: 'cyn.bertrand@la.gov'
Subject: RE: E-rate request

Attachments: Jackson reminder.doc

Hi Mike. Attached is a reminder that your response is due 7 days from today, by the close of business 6/21/06. Thank you.

From: Mike Staples [mailto:mstaples@jpsb.us]
Sent: Monday, June 12, 2006 2:16 PM
To: Deusinger, Michael
Subject: RE: E-rate request

Michael-

I will be here.

Mike

-----Original Message-----

From: Deusinger, Michael [mailto:MDEUSIN@solixinc.com]
Sent: Monday, June 12, 2006 12:20 PM
To: Mike Staples
Subject: RE: E-rate request

Thank you Mike. Please reply to my email and indicate to me if you will be available to answer any E-rate inquiries I may have over the summer. Thanks.

From: Mike Staples [mailto:mstaples@jpsb.us]
Sent: Sunday, June 11, 2006 8:06 AM
To: Deusinger, Michael
Subject: RE: E-rate request

Mr. Deusinger-

I was out of the office all of last week. Just checked my e-mail today. Your request has been received and will be addressed.

Mike Staples

-----Original Message-----

From: Deusinger, Michael [mailto:MDEUSIN@solixinc.com]
Sent: Friday, June 09, 2006 11:26 AM
To: mstaples@jpsb.us
Subject: FW: E-rate request
Importance: High

Mike,

I have not received a reply to my email confirming receipt of this request. Please reply to this email today to confirm receipt. Thank you.

AR00228

From: Deusinger, Michael
Sent: Tuesday, June 06, 2006 1:40 PM
To: 'mstaples@jpsb.us'
Subject: E-rate request
Importance: High

Hello Mike. The attached request is related to FCC Order 06-55. Please provide a response by the close of business Wednesday, June 21. Please reply to my email to confirm receipt of this request. If you have any questions please feel free to contact me. Thank you. Please Note: this request relates to a FY 2003 and a FY 2004 E-rate application. Talton Barron was the contact on the FY 2003 application. You are listed as the contact on the FY 2004 E-rate application.

Michael Deusinger
Manager- Selective Final Review
Universal Service Administrative Company (USAC)
Schools and Libraries Division (SLD)
Phone: 973-581-6750
Fax: 973-599-6515

Confidentiality Notice: The information in this e-mail and any attachments thereto is intended for the named recipient(s) only. This e-mail, including any attachments, may contain information that is privileged and confidential and subject to legal restrictions and penalties regarding its unauthorized disclosure or other use. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action or inaction in reliance on the contents of this e-mail and any of its attachments is **STRICTLY PROHIBITED**. If you have received this e-mail in error, please immediately notify the sender via return e-mail; delete this e-mail and all attachments from your e-mail system and your computer system and network; and destroy any paper copies you may have in your possession. Thank you for your cooperation.



Schools and Libraries Division

Date: 6/14/06

Contact Name: Mike Staples
 Jackson Parish School District
 Phone #: (318) 259-4456
 Application Number(s): 376220, 423981

Response Due Date: 6/21/06

You were recently sent a written request for additional information needed by the Program Integrity Assurance (PIA) team to review your Funding Year 2003 and Funding Year 2004 Forms 471 applications to ensure that they are in compliance with the rules of the Universal Service program. This is a reminder that the response due date is approaching. To date, none of the requested information has been received. The information needed to complete the review is listed below.

Form 470 Submissions and Form 470 Certifications

Program rules prohibit service providers from participating in the development, completion and posting of the Form 470. We have determined that Forms 470 cited by Send Technologies entities have similar Applicant Form Identifiers and are similar in their services sought, which implies that Send Technologies participated in the completion and/or posting of your entity's Form 470. We have also determined that the certification of the Form 470 cited by your entity's application was mailed by Mark Stevenson of Send Technology

1. Please provide the name, title and employer of the individual who filled out and submitted (i.e., mailed or posted the Form 470 on the Schools and Libraries website) Form 470# 181630000366888. Also provide that individual's contact information. If they are not an employee of your organization, how are they affiliated with your entity and why were they selected to complete or post your Form 470?
2. Please provide the specific location from which the Form# 181630000366888 was filed and submitted. If the Form 470 was not posted from your organization's location, please explain why.
3. If a service provider employee assisted in the completion and/or posting Form 470# 181630000366888, please provide the name and title of the Service Provider's employee and describe the assistance. Please also provide that individual's contact information. Explain why you selected them to assist your organization with completing or posting your Form 470. To the best of your knowledge, explain whether the service provider was aware that an employee assisted with the completion and/or posting of your entity's Form 470.
4. Please explain why the certification of the Form 470 cited by your entity's application was mailed in by Mark Stevenson of Send Technology. Please explain in detail the role(s) Mr. Stevenson played in the Form 470 process.

Form 470 Service or Need Description Summary

Applicants that selected discount services from Send Technologies share similar statements in their Forms 470 Block 2: *Summary Description of Needs or Services Requested*. These similarities imply that the service provider participated in the development, completion and/or posting of the Form 470.

1. Please explain the process your entity used to determine the type(s) of service(s) for which your entity sought bids. Provide documentation, if available, that will support your response (e.g., needs assessment, memorandums).
2. Provide the name of the individual and their organization's name who participated in determining what services your entity sought bids for that are not employees of your organization. Explain how they became involved in the process, their level of involvement, and why your organization sought their participation in your competitive bidding process.

It is important that we receive all of the information requested so the PIA team can complete its review. Please fax or email the requested information to my attention. If you have any questions please feel free to contact me.

If we do not receive the requested information by 06/21/06, your application(s) will be reviewed using the information currently on file. If you are unable to provide the requested information because your school has closed or will shortly close for summer break, please let me know when you will be available to respond to these questions. Failure to do so may result in a reduction or denial of funding.

Should you wish to cancel your Form 471 application, or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s); along with the Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

A copy of this correspondence is being forwarded to your State E-Rate Coordinator for informational purposes only.

Thank you for your cooperation and continued support of the Universal Service Program.

Michael Deusinger
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-581-6750
FAX: 973-599-6515
e-mail address: mdeusin@sl.universalservice.org

P.O. Box 705
Jonesboro, LA 71251
Phone: (318)259-4456
Fax: (318)259-2527

Jackson Parish School Board

Fax

To: Michael Deusinger

From: Mike Staples

Fax: 1-973-599-8515

Pages: 5

Phone: 1-973-581-6750

Date: Tuesday, June 20, 2006

Re: PAIR Information Request FY 2003/04 **CC:**

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• **Comments:**

**JACKSON PAR
SCHOOL BOARD**

Gary Black, Superintendent
Harvey T. Robinson, President

P.O. Box 705, 315 Pershing Highway
Jonesboro, LA 71251-0705
e-mail gblack@nls.k12.la.us
Telephone (318) 259-4456
Fax (318) 259-2527

June 20, 2006

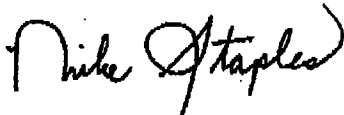
Mr. Michael Deusinger
USAC
Schools & Libraries

Dear Mr. Deusinger:

The response of the Jackson Parish School System to your Pattern Analysis Information Request FY 2003/2004 (CASE 2003/2004-BEN 139315) follows. This response was prepared by Mr. Talton Barron who also was responsible for the 470 in question in your information request.

I have no first-hand knowledge of the information contained in the response. I was working in another school system in Louisiana at the time. Any further request for information should be addressed to Mr. Barron.

Sincerely,



Mike Staples

Form 470 Submissions and Form 470 Certifications

Program rules prohibit service providers from participating in the development, completion and posting of the Form 470. We have determined that Forms 470 cited by Send Technologies entities have similar Applicant Form Identifiers and are similar in their services sought, which implies that Send Technologies participated in the completion and/or posting of your entity's Form 470. We have also determined that the certification of the Form 470 cited by your entity's application was mailed by Mark Stevenson of Send Technology

1. Please provide the name, title and employer of the individual who filled out and submitted (i.e., mailed or posted the Form 470 on the Schools and Libraries website) Form 470# 181630000366888. Also provide that individual's contact information. If they are not an employee of your organization, how are they affiliated with your entity and why were they selected to complete or post your Form 470?

Talton Barron, Technology Coordinator Jackson Parish Schools, with the assistance of Mark Stevenson. TD

2. Please provide the specific location from which the Form# 181630000366888 was filed and submitted. If the Form 470 was not posted from your organization's location, please explain why.

Office of SEND Technology. Mr. Stevenson offered to help with the process. TD

3. If a service provider employee assisted in the completion and/or posting Form 470# 181630000366888, please provide the name and title of the Service Provider's employee and describe the assistance. Please also provide that individual's contact information. Explain why you selected them to assist your organization with completing or posting your Form 470. To the best of your knowledge, explain whether the service provider was aware that an employee assisted with the completion and/or posting of your entity's Form 470.

Mark Stevenson, SEND Technology, Monroe, Louisiana. Mark Stevenson volunteered to help. Jackson Parish was having trouble with preparing the form. Yes, Mr. Stevenson asked questions, gave advice, and Talton Barron entered information. TD

4. Please explain why the certification of the Form 470 cited by your entity's application was mailed in by Mark Stevenson of Send Technology. Please explain in detail the role(s) Mr. Stevenson played in the Form 470 process.

Mark Stevenson mailed it in. Refer to the above answered questions. TD

Form 470 Service or Need Description Summary

Applicants that selected discount services from Send Technologies share similar statements in their Forms 470 Block 2: *Summary Description of Needs or Services Requested*. These similarities imply that the service provider participated in the development, completion and/or posting of the Form 470.

1. Please explain the process your entity used to determine the type(s) of service(s) for which your entity sought bids. Provide documentation, if available, that will support your response (e.g., needs assessment, memorandums).

We were advised by Mark Stevenson on the responses. TD

2. Provide the name of the individual and their organization's name who participated in determining what services your entity sought bids for that are not employees of your organization. Explain how they became involved in the process, their level of involvement, and why your organization sought their participation in your competitive bidding process.
Mark Stevenson, SEND Technology. *TS*

If you have any questions, please contact me at 973-581-6750.

Michael Deusinger
Program Compliance

Universal Service Administrative Company
Schools and Libraries Division

PATTERN ANALYSIS CERTIFICATION	
<p>I certify that I am authorized to make the representations set forth in the responses to the Pattern Analysis Information Request on behalf of <enter entity name>, the entity represented on and responding to the Pattern Analysis Information Request, and am the most knowledgeable person with regard to the information set forth therein. I certify that the responses and supporting documentation to the Pattern Analysis Information Request are true and correct to the best of my knowledge, information and belief. I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I acknowledge that false statements can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.</p> <p>I declare under penalty of perjury that the foregoing is true and correct. Executed on <u>19</u> day of <u>June</u>, 2006 at <u>Jonesboro</u> [city], <u>Louisiana</u> [state].</p>	
Signature <u>William J. Barron</u>	Date <u>6/19/06</u>
Print Name <u>William Talton Barron</u>	Title <u>Secondary Supervisor</u>
Employer <u>Jackson Parish Schools</u>	
Telephone Number <u>318-259-4456 Ext. 12</u>	Fax Number <u>318-259-2527</u>
Email Address <u>tbarron@JPSB.LS</u>	
Address <u>315 Pershing Hwy.</u> <u>Jonesboro, La. 71251</u>	

Further Explanation of Administrator's Funding Decision

Form 471 Application Numbers: 376220, 423981

Funding Request Numbers: 1030905, 1171008

Funding Years 2003 (07/01/2003 – 06/30/2004) and 2004 (07/01/2004 – 06/30/2005)

Under separate cover, you are being sent a Funding Commitment Decision Letter concerning the FCC Form 471 Application Number cited above. This Funding Commitment Decision Letter denies the Funding Request Numbers (FRNs).

Please be advised that the Funding Commitment Decision Letter is the official action on this application by the Universal Service Administrative Company (USAC). Please refer to that letter for instructions regarding how to appeal the Administrator's decision, if you wish to do so. The purpose of this letter is to provide you with additional information concerning the reasons for denial of these funding requests.

The Federal Communications Commission (FCC or Commission) granted the appeal of USAC's denial of the FRN(s) cited above and remanded the funding requests to USAC for further review.¹ The FCC directed USAC to "conduct further investigation and analysis prior to denying funding for suspected competitive bidding violations . . . and to provide applicants with an opportunity to demonstrate that they did not violate the Commission's competitive bidding rules." The Commission set forth its competitive bidding rules as follows:

Under the schools and libraries universal service support mechanism, eligible schools, libraries, and consortia that include eligible schools and libraries, apply for discounts for eligible telecommunications services, Internet access, and internal connections.² The applicant, after developing a technology plan, files the FCC Form 470 ("Form 470") with the Administrator to request discounted services.³ The Form 470 is posted on USAC's website for at least 28 days, during which time interested service providers may submit bids to provide the requested services.⁴ The applicant must consider all submitted bids prior to entering into a contract; price must be the primary factor in selecting a bid.⁵ Under the Commission's competitive bidding

¹ See *Request for Review of the Decision of the Universal Service Administrator by Academy of Careers and Technology, et al.*, CC Docket No. 02-6, Order, FCC 06-55 (2006) (*Academy of Careers and Technology Order*).

² 47 C.F.R. § 54.505.

³ If the technology plan has not been approved when the applicant files the Form 470, the applicant must certify that it understands that the technology plan must be approved prior to commencement of service. 47 C.F.R. § 54.504(b)(2)(vii).

⁴ 47 C.F.R. § 54.504(b)(4).

⁵ 47 C.F.R. § 54.511(a).

rules, the service provider may not participate in the bidding process.⁶ After entering into a contract for eligible services, the applicant files the FCC Form 471 ("Form 471").⁷ USAC assigns a funding request number ("FRN") to each request for discounted services, and issues funding commitment decision letters ("FCDLs") approving or denying the requests for discounted services.

In this remand, the Commission concluded that "USAC denied the requests for funding without sufficiently determining that the service providers improperly participated in the applicants' bidding process."⁸ The Commission stated that "there are many legitimate reasons why applicants could have used similar language in their applications . . ."⁹ As part of USAC's review of the applications, the Commission suggested that USAC "request that applicants submit documentation establishing the source of the language that is similar to that found in other applications."¹⁰ With respect to situations where due to the passage of time, such evidence may no longer be available, the Commission directed USAC to "look at the totality of the circumstances, including an explanation as to why the evidence may no longer be available. On a going-forward basis, we expect that applicants will have better documentation to support their applications."¹¹

USAC recently contacted each applicant and explained that for applicants who had chosen Send Technologies as their service provider, each entity provided documents with striking similarities to USAC to support their funding requests. For each type of document, USAC asked each applicant to explain how they prepared each type of document, to provide any supporting documentation, and to specify the individual who prepared the relevant documents.

In response to USAC's questions, you stated that Mark Stevenson of Send Technology assisted in determining what services your entity sought bids for, as well as filling out and submitting FCC Form 470 # 181630000366888. You further stated that this FCC Form 470 was submitted to USAC from the office of Send Technology. Finally, you stated that Mark Stevenson mailed your FCC Form 470 certification to USAC.

Since Send Technology, the service provider you later selected to provide these services, participated in the competitive bidding process by assisting you in determining what services you would seek bids for, filling out and submitting the FCC Form 470, and by mailing in your FCC Form 470 certification page during the competitive bidding process, you have not demonstrated that you did not allow your

⁶ See *Request for Review of Decisions of the Universal Service Administrator by MasterMind Internet Services, Inc., Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Order, 16 FCC Rcd 4028, 4032-33, para. 10 (2000).

⁷ This form is to request discounts on those services and it contains the discount calculation worksheet and the discount funding request. The Form 471 generally must be filed each time a school or library orders telecommunications services, Internet access, or internal connections. See 47 C.F.R. §§ 54.504, 54.511(c).

⁸ *Academy of Careers and Technology Order* ¶ 6.

⁹ *Id.*

¹⁰ *Id.* ¶ 8.

¹¹ *Id.* ¶ 8 n.20.

service provider to participate in the competitive bidding process. Therefore, the FRNs cited above have been denied.



Universal Service Administrative Company
Schools & Libraries Division

Revised Funding Commitment Decision Letter
 (Funding Year 2004: 07/01/2004 - 06/30/2005)

September 22, 2006

JACKSON PARISH SCHOOL DISTRICT
 Mike Staples
 315 PERSHING HWY
 JONESBORO, LA 71251

RE: Form 471 Application Number: 423981
 Billed Entity Number: 139315
 Applicant's Form Identifier: 2004-JPSD-2

This letter is your notification that your appeal has been approved and is the official Funding Commitment Decision letter (FCDL) providing you with the dollar value and other details of the funding commitment(s) made for the FCC Form 471 Application identified above in response to your appeal.

The Funding Commitment Report (Report) that follows this Revised FCDL contains a list of items that were included in your original FCDL. An explanation of the items in the attached report is included in the sample FCDL posted to the SLD section of the USAC web site, and was included in your original FCDL. Depending on the nature of your appeal, this Report may have been updated to reflect the new total amount of discount for a funding request. Applicants should use THIS updated information when completing the FCC Form 486, if Form 486 has not already been submitted.

This same information is being sent to the service provider(s) whose Service Provider Identification Number (SPIN) was featured in your funding request(s). We urge you to contact your service provider(s) to make any necessary arrangements regarding delivery of service and provision of your discounts.

IMPLEMENTATION TIMEFRAME

The Federal Communications Commission (FCC) released on June 29, 2001, an Order extending the implementation period for non-recurring services. Any non-recurring service for which funds are committed in this letter may be delivered and installed up to September 30, 2007. Support for recurring services, however, is available only for services provided during the period July 01, 2004 through June 30, 2005.

If Forms 486 have not already been submitted for these services provided by this service provider as identified by the SPIN in the attached Funding Report, Forms 486 must be received or postmarked no later than 120 days after the Service Start Date, or 120 days after the date of an FCDL that approves funding, whichever is later, to receive discounts retroactively to the Service Start Date. If any funding was approved in the original FCDL and any services were provided by the service provider whose SPIN was referenced in the original Funding Report, the deadlines described above are calculated based on the original FCDL. If these services are approved as a result of a SPIN Correction, a new Form 486 will be required to allow invoicing for such services.

NEXT STEPS

Once you have reviewed this letter and have determined that some or all of your requests have been funded, your next step will be to facilitate receipt of discounts as explained in this letter.

DUPLICATE LETTER

RECURRING SERVICES: In order to receive reimbursement, you must file Form 486, Receipt of Service Confirmation Form, if it has not already been filed. The Form 486 notifies the SLD that services have been delivered. It also provides certified indication that your technology plan(s), if required, has been approved. The Form 486 and instructions are posted on the SLD web site at www.sl.universalservice.org. You may also contact the SLD Client Service Bureau by fax at 1-888-276-8736 or by phone at 1-888-203-8100 and ask that the form and instructions be sent to you. The Form 486, dated August 2003 in the lower right corner, MUST be used. As you complete Form 486, you should also contact your service provider(s) to verify they have received notice from the SLD of your funding commitment(s). After the SLD processes your Form 486, we can begin processing invoices for those discounted services (either the FCC Form 472, Billed Entity Applicant Reimbursement Form filed by the applicant or the FCC Form 474, Service Provider Invoice Form filed by the service provider).

NON-RECURRING SERVICES: Since these commitments come well after your application was submitted, it is possible that Contract Expiration Dates indicated on the FCC Form 471 will have passed. The attached Funding Commitment Report for this application includes the Contract Expiration Date from the Form 471, if provided. FCC rules grant a limited extension for contracts for non-recurring services. "[C]ontracts for nonrecurring services may be voluntarily extended to coincide with the appropriate deadline for the implementation [of delivery and installation for nonrecurring services]. Parties may not, however, extend other contractual provisions beyond the dates established by the Commission's rules without complying with the competitive bidding process." [FCC 01-195, released June 29, 2001]. If you have been waiting for this commitment letter before directing your service provider to start non-recurring service and if the Contract Expiration Date on the Form 471 has passed, the SLD will not be able to process a Form 486 with a reported Service Start Date after the Contract Expiration Date. If this is true for you, you should first negotiate a contract extension with your service provider and then file an FCC Form 500, Adjustment to Funding Commitment and Modification to Receipt of Service Confirmation Form, to notify the SLD of the new Contract Expiration Date. After submitting the Form 500, your next step will be to file the Form 486 with the SLD.

If you have any questions about this Revised FCDL, please call our Client Service Bureau.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - appellant name,
 - applicant or service provider name, if different than appellant,
 - applicant BEN and service provider SPIN,
 - application number as assigned by USAC,
 - name of the letter and funding year - both are located at the top of the letter, AND
 - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by the SLD's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on the web site at www.sl.universalservice.org. Click "Continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that Universal Service Administration Company (USAC) and/or the Federal Communications Commission (FCC) may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT
Billed Entity Name: JACKSON PARISH SCHOOL DISTRICT
BEN: 139315
Funding Year: 2004

Form 471 Application Number: 423981
Funding Request Number: 1171008
Funding Status: Not Funded
Category of Service: INTERNET ACCESS
Form 470 Application Number: 181630000366888
SPIN: 143027251
Service Provider Name: Nexus Systems, Inc.
Contract Number: SEND2002-13
Billing Account Number: 318-259-4456
Service Start Date: 07/01/2004
Contract Expiration Date: 06/30/2005
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$60,192.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$60,192.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Bidding Violation
Funding Commitment Decision Explanation: As per FCC Order 06-55 you were given an opportunity to explain similarities seen between your application and those of other applicants that chose the same service provider. A separate letter is being sent that has a full explanation of why your appeal is not being granted.

Revised FCDL Date: 09/22/2006
Appeal Wave Number: A20

Selective Review Information Request Completion Certification

Complete and return the enclosed Certification to the Schools and Libraries Division (SLD). If the applicant's authorized representative completed the information in this document, please *attach a copy of the letter of agency or other agreement* between the applicant and consultant authorizing them to act on the school or library's behalf. For the purposes of this form, in the Employer's Name field, a consultant should enter the name of his or her consulting firm. Please note that if an authorized representative signs this form, a signet of school or library official is also required in the space provided below.

SECTION 1: AUTHORIZED SIGNER INFORMATION		
Name of Authorized Signer	Title	
Email Address	Telephone Office:	Fax:
Authorized Signer's Employer's Name		
Employer's Street Address	State	Zip Code
SECTION 2: BILLED ENTITY INFORMATION		
Billed Entity Name	Billed Entity Number	
Funding Year 2006 Forms 471 Application Numbers:		
SECTION 3: CERTIFICATION STATEMENTS		
<ul style="list-style-type: none"> I certify that I prepared the responses in this document on behalf of the above named entity. I certify that despite any budget deficits, fund-raising effort shortfalls, or other uncertainties that the funding source(s) identified for my applicant share of E-rate will not be affected. I certify that the Billed Entity <ul style="list-style-type: none"> <input type="checkbox"/> is an Education Service Agency as defined under state law. <input type="checkbox"/> is not an Education Service Agency (ESA) as defined under state law. 		
Authorized Signer's Signature	Date	
Authorized School or Library Official's Signature	Date	
Title of Authorized School or Library Official		

The FCC's Fifth Report and Order (FCC 04-190) released on August 13, 2004, sets out document retention requirements for program participants. Failure to comply with these requirements will put your funding at risk.